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AN
INSTITUTION
OF
General History:
OR THE
HISTORY
OF THE
WORLD.

The THIRD PART.

CONTAINING

That of the *Constantinopolitan Roman Empire* and the Contemporaries with it: All distinctly by themselves, and yet linked together as the former Parts were.

FROM

The Taking of *Rome* by *Odoacer*, and the Exile of *Zeno* the Emperour, to the Deposing of *Irene* and Promotion of *Nicephorus*:

WITH

An Account of the several Actions, Policies, Laws and Things of moment, during the Reign of each Emperour, and the Original Achievements and Polity of the *Franks*, the Dominion of the *Goths*, *Saracens*, *Arabians* and *Moors* in *Spain* and *Gall* within this Period.

By WILLIAM HOWEL, LL. D. *sometimes Fellow of*
Magdalen College in Cambridge.

L O N D O N,

Printed for the Authour's Widow, by *Miles Flejber*. MDCLXXXV.

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T O

The High and Mighty P R I N C E

J A M E S II.

K I N G of *Great Britain, France and Ireland,*
Defender of the Faith, &c.

G R E A T S I R,

A MONG the Crowds of Loyal Counties and Corporations that Address themselves unto Your M A J E S T Y, vouchsafe to permit a desolate Widow to approach into Your Sacred Presence to Congratulate Your Happiness and most Just Possession of the Throne of these Kingdoms, by laying a small Present at Your Royal Feet.

Which is due to Your M A J E S T Y by a double Title, both by right of Succession to our late Gracious Sovereign, by whose Royal Bounty this Work was encouraged; and also by designment of the Authour, who intended, had not his Death prevented it, to have Dedicated this Book *To His Royal Highness J A M E S the Duke of York*, which I now most humbly offer *To the Sacred Majesty of King J A M E S the Second.*

Whom I beseech the King of Kings long to preserve beloved of all his Subjects, dreaded by all his Enemies, and renowned to all Posterity in the History of Future Ages.

So prayeth with due Reverence

Your Majesty's most Loyal Subject

Mary Howel.

THE
P R E F A C E
TO THE
READER.

THE Author having said so much in his Preface to his Second part of this Work, here is little occasion to add much to this, but onely to give an Account in short of this Volume.

The Roman share thereof was composed out of Authours, as they are quoted in the Margent; beginning from the fall of Augustulus, and the Ruine of the Empire in the West, (where the Second part ends) to the deposing of the Empress Irene, and promotion of Nicephorus, with an Account of the several Actions, Politicks, Laws and Things of moment, during the Reign of each Emperour (in particular, the new Modelling of the Civil Law by Justinian) and setting forth the Original, and all the History of such Nations as are mentioned in this Method, or had nothing memorable, or very little, but what is intermixed with these Affairs: And also such Kingdoms as were at this Period, but lately begun, and little certainty concerning their matters can be known, are (according to the Method of the First part) handled as they be Considerable.

The French part was taken from their own Authours as they are quoted generally, containing the Original and Progress of them, before their passing the Rhine, their Kingdom in Gall, from their passing the Rhine, to the Death of Childerick the last Pagan King, and the promotion of Clodonee the first Christian one, to the Ruine of the Line of the Merovingians, which was succeeded by
the

The Preface to the Reader.

the Carloningians, and continued to the Advancement of Charles the Son of Pipin to the Title of Emperour in the West, with the Original and defeat of those Nations and Countries, which were over-run by the Conduct, Courage, or cunning of the Franks; shewing their Polity, Laws, Customs and Antiquities, out of the Original Tongue, with other critical Remarks suitable to the Nature and usefulness of such an undertaking.

The Spanish part was likewise taken out of their own Authors, containing the Kingdom of the Visigoths, or Western Goths in Gall and Spain, to the Death of King Eurick, the Father of Alarick the Great, then from the promotion of Alarick, to the destruction of this Kingdom by the Saracens, the Original of the Saracens, with an Account of their first founding their Kingdom in Spain, to the Rise of new Gothick ones, which at length procured the Ruine of it; being all Contemporary with the Constantinopolitan Roman Empire: Left under his own Hand in writing, which is attested by us,

H. London.

Tho. Roffen.

Sy. Patrick, D. D.

W^m. Denton, M. D.

Rich. Ashfeild, Gent.

AN INSTITUTION OF General History:

OR
The History of the World.

The Third Part.

BOOK I.
Of the Constantinopolitan Roman Empire.

CHAP I.

From the taking of Rome by Odoacer, and the Exile of Zeno the Emperour to the Reign of Justinian the Great.

The space of fifty years.

Rome the Elder I. being in Captivity, the Younger Succeeded as Head of the Empire remaining.

ROME the Elder, being fallen from her ancient Dominion, and now A. D. 476. a Captive, the Right of Succession to all her Empire remaining, was Basiliscus by Name devolved upon her Daughter the younger Rome or Constantinople. And to her fell a very great Inheritance, though vastly short of what her Mother had acquired. For with the Ancient Lady her Western Provinces were gone into Captivity. Italy with her self was Subject to the Heruli; Gall was seized by the Franks and Burgundians; Spain was become the Inheritance of the Goths; Britain to be possessed by Saxons, Scots and Picts; Africk was held by the Vandals; and Pannonia by the Ostrogoths, Huns, and other Nations. But thence Eastward as far as the limit of Mesopotamia the Roman Empire remained entire to the young Sovereign Mistress; and the Northern Bounds and also the Southern were much the same; a fair Inheritance, as the Reader may find by that Inventory we have given him, at the beginning of the Second Volume of this Work, and therein otherwise is largely related.

Zeno the rightfull Emperour at this time.

2. The true and Rightfull Prince and only Roman Emperour was Zeno, though now in Exile, being driven away by the Incroachments of Basiliscus the Tyrant, who usurped for about a year and six Months. Procopius writes that he lost his Power within a year and eight months, after he had driven Zeno and his Wife into Isauria; for then he became odious for his Avarice to the Pretorian Souldiers. This was not unknown to Zeno, who thereupon got an Army together and went against him. Basiliscus made choice of Armatius for his General, who led his Army against Zeno; and incamped near unto him, but delivered up himself and all his men into

B

his

his hands, on condition that *Basiliscus*, a very Boy the Son of *Armatius*, being at present created *Cæsar*, should be owned by *Zeno* for his Successour. *Basiliscus*, thus forsaken by his Souldiers, betook himself to the same Church to which he had formerly fled; and was delivered up into the hands of *Zeno* by *Acacius*, who inveighed much against him for his Impiety, having been an earnest Defender of the Heretic of *Eutiches*. *Zeno* having recovered his Power, to keep his promise to *Armatius*, created his Son *Cæsar*, but in a short time deprived both the Boy of his Dignity, and *Armatius* of his Life. And *Basiliscus* the Usurper with his Wife and Children, he sent into *Cappadocia* in a sharp Winter, forbidding that they should be supplied with Food or Clothes, or other things which Nature required; whereby it came to pass that being oppressed with Hunger and Cold, they embraced one another and perished together. So was *Basiliscus* punished for his wicked Actions, being A.D. 477. betrayed by *Armatius*, who the foregoing year had been his Companion in the Consulship, though, because of the Usurpation, this following be only known by being after it, or after the Consulship of *Basiliscus* and *Armatius*. To what *Procopius* writes concerning *Armatius* from others. *Baronius* adds, That being in favour both with *Zeno* and *Basiliscus*, as he was the Kinsman of the latter, when by command of *Zeno* he was slain, the Citizens rejoiced, for under *Zeno* whatsoever seditious *Thracian* *people*, beset his hands. But he was killed by one *Onoulus*, whom coming from his *Barbarus* Countrey very poor he courteously received, first made him a *Comes*, and then *Præfekt* of *Ilyricum*, and furnished him with much Plate for his Entertainments. But for his kindness, he so requited him by his barbarous treachery and bloody hand. So we bid farewell to the Usurpation of *Basiliscus*, with this only observation farther, that *Enagrius* differs so far from *Procopius* as to his Death, that he writes that being sent into *Cappadocia* to be killed, he was slain in a Station called *Acousis* with his Wife and Children.

3. *Enagrius* tells us, that *Zeno* after the Death of *Basiliscus* abrogated by a Law his Decrees which he had written in circular Letters: By these Decrees we suppose he means such Ordinances as he had made in reference to Religion, with which we are not to meddle in this place. And no such Law do we now find extant in the Code, though two others made by *Zeno*, and both at the latter end of the year, in *December*. One of them directs how an Estimation is to be made, of Damage sustained by a forcible Entry. The other ordains that no Rescript procured by the petition of any single Person, (then called *Adnotatio*.) nor at the request of a Body incorporate or Society (termed *Pragmatica*;) be admitted by any Judge except it manifested that the matter suggested in the petition was true. Every *Questor* or *Magister Scrinii* that dictated such Rescripts should undergo Reprehension, and also the Judges that admitted them; and such *Memoriales* of any *Scrinius*, *Pragmaticarii*, or *Adjuutores Primicerii* as should unlawfully write them so dictated should be punished with the loss of their Girdles. To which afterward *Justinian* added that the Subscription of the *Questor* should be necessary, in which should be contained, between whom, and to what Judge, and by whom the sacred Oracle (such terms were still used) was directed, otherwise it should not be received by any Judge upon pain of fining in twenty pounds of Gold, and as much by his Office. Of civil matters we meet with nothing more that was memorable this year except a terrible Earthquake, which happened on the twenty fifth day of September at *Constantinople*. Many Churches and Houses were demolished, the *Rostra* utterly defaced, and a vast number of people overwhelmed in the Ruines. Now also fell a Globe of the Pillar in the ordinary Forum, and the Statue of *Theodosius* the Great, placed upon a Pillar in the Forum of *Taurus*, with a great part of the inward Wall. The Earthquake continued long, so that a Stench also seized the City. These mischiefs *Baronius* takes to be fore-tellers of the great Evils that followed, when the Emperor cast off that Vizard of Orthodox Belief, with which at present he was covered.

4. The year following was characterised only with the Consulship of *Illus* who bore the Title at *Constantinople* without a Collegue. For in the West was none created, messages passing betwixt *Zeno* and *Odoacer*, about a Peace and good understanding; and as the Emperor would not intermeddle with the Affairs of that Tract, to the other not taking that Title upon him, but only of King, would not arrogate to himself so much Power, as one well observeth. This year, for what we can perceive, was almost barren of civil Transactions, stirr again breeding about Religious matters through the practices of the *Eutychian* Heretics. Only three laws we find bearing the Date of it, and two of them of the same day, or the first of *March*, directed to the same person *Sebastian*, the *Præfektus Prætorio*

rio, though we cannot say they made up one and the same Constitution. "One of them secures theright of Children, so as the propriety of things made over to their Mothers in consideration of Marriage, should descend unto them; and if one of the Sons died, his Children should represent him, and exclude the Brothers of the Deceased. And Sons dying before their Parents, if Nephews by them remained, they should succeed equally to their rights. For hereby Parents were obliged to preserve to their Children profits rising by Marriage in infinitum; yet so as they might have the liberty to chuse one of their Children, and on him confer the said profits; as a Son might confer on one of his Children which he pleased, what descended to him by virtue of a Donation made to his Mother in consideration of Marriage. By the second law he gives greater liberty to the making of Donations than the Emperor *Constantine* was willing to allow, who in his time being acquainted with the great cheats and injuries which were committed by profuse, fraudulent and extorted Deeds of gift, whereby persons made havoc of their Estates, gave them away to evade the Laws or cheat their Creditors, and were constrained to doe that to which of themselves they had no Inclination, by several laws he put a restraint upon these practices. As he required a corporal Delivery of the thing so given and granted, (viz. by delivering it into the hands of the Donee, if a moveable, if an immovable by quitting it that he might take possession,) so he would have the Neighbours called to be Witnesses of the Act. And besides this, as he would have no Donation to be made contrary to Law, nor against the will and pleasure of the Donee, required moreover that should be contained in Writing, and as to the form, would have the Name of the Donor to be expressed, and the right and Title by which he was seized of the thing so given or granted; so he would have the gift Registered in the Register of a Judge or Magistrate.

5. But as that excellent Prince discharged his duty in obviating the vitious Inclination of the Times wherein he lived, and in reforming the Abuses of use and custome, so now *Zeno* it seems, thought fit after feeling the pulse of his own Time, to take off this "Necessity of the Testimony of Neighbours, or others to such Donations as were insinuated at the Acts, or as we say Registered in the Records, or entered in the Records of Magistrates. And even in Donations not Registered, he took off the necessity of Witnesses by this Law, provided the Instruments were written by a *Tabellio* or publick Notary, or any other, or the Donor himself, if such was the custome of the place, or even if no writing was made thereof, the Donation might be good, provided there were other sufficient Evidence, as *Theodosius* and *Valentinian* had formerly written to *Himerius* the *Præfektus Prætorio*. The third law of those we mentioned to have been enacted this year, was in favour of *Illustrious* Persons, and is directed to one *Alexander* of that Rank, though whether in or out of Office is not expressed in the Direction, a thing rare in the Constitutions of Princes made after the time of *Constantine*. For he hath no Title given him, neither yet doth the Law it self seem to hint that he did *Militare* or was in actual Service. "For it declares, that if an Action of Injury be brought by, or against, any *Illustrious* Persons, either in actual service, (militantibus) or out of Employment, (sine cingulo constitutus) their Wives, Sons, Daughters, (their *Illustrious* Fathers and Husbands being yet alive) if the Action be Criminal, the party accusing shall make the usual Inscription to undefergo the *lex talionis* if found to slander,) and doe other things solemnly which are required in such cases, but the Accuser or Accused may appear by their Procurators, without being bound to doe it in Person, to which privilege he forbids all other persons to aspire, or to petition him for it; requiring that that customary form of proceeding in Judicature be punctually observed. This same privilege, by a Novel of *Valentinian*, was given to Bishops and Presbyters, provided they subscribed also, and the condemnation should be in their Names. Otherwise it was a general Rule, *In criminal causis nunc can transacti by a Procurator*.

6. The next year, or the CCCCLXXIX of our Lord, is marked in the *Fasti*, A. D. 479. with the third Consulship of the Emperor *Zeno*, who, for what we can see, did Zeno A. 3. very little of moment in it. Yet two Constitutions are still extant in the Code of *Justinian*, bearing his Name and the Date of this year, by one of which he took farther care about Donations before Marriage. "By the Second he ordains that Mothers shall be subject to a Necessity of moving for Guardians, as well for their "Natural Children, as those born of lawful Wedlock; and that Ignorance shall not excuse them from such penalties as by Law or Constitutions they are liable to upon such neglect; that is of being deprived of the Right of succeeding to such

Basiliscus made away.

Armatius killed.

Zeno restrains the superfluous procuring of Rescripts.

Makes a Law in favour of Children.

Of Donations.

Of *Illustrious* Persons.

Takes care for Minors.

L. 7. de *Secundæ Nuptiæ*. Cod. Jus. lib. 5. Tit. 9.

L. 31. de *Donationibus*. lib. 8. Tit. 24.

L. 1. de *Donationibus*. Cod. Th. lib. 8. Tit. 12. Vide *Guthf. in l.*

Hist. lib. 3. c. 8. in *Acacius* rescripsit *Enagrius*.

L. 9. Cod. Jus. lib. 8. Tit. 4. Dat. id. Decemb. L. 7. de *Divisio* Rescriptis. Cod. Jus. lib. 1. Tit. 23. Dat. 10. Kal. Jan.

L. 9. de *Donationibus*. Cod. Jus.

L. 11. de *Injuris*. Cod. Jus. lib. 9. Tit. 35. Dat. 5. Novemb. *Alexander* vires *Illustri*.

L. 9. de *Inofficiis*. Testam. lib. 3. Tit. 28. Dat. Kal. April. L. ult. qui perunt *Tutores* vel *Curatores*. Cod. Jus. lib. 5. Tit. 30. Dat. Kal. Sept.

Children when nearer Heirs are wanting. As small Intelligence have we concerning any thing transacted in the CCCCLXXX year of our Saviour, wherein *Basilus Junior* was Consul: But also we find two Constitutions published by *Zeno* on one and the same day, or the first of *May*, though directed to two several *Prefects*, as to which a mistake might be committed by some Scribe. Whereas Indulgence was by the laws granted to Minors, or those under the Age of five and twenty, to as in respect of their want of experience, if they were deceived in Bargains and Transactions, they might be restored *in integrum*; such an abuse was made of this favour, that *Zeno* now declared, That in case they had made use of the Law, and had the benefit of it, and therein received Damage, no restitution should be granted to them. And whereas for weighty reasons, the *Romans* had been wonderfully strict in the making of Testaments, so as such Lawyers or others as dictated Wills, and such as were Witnesses to them, could anciently receive no benefit by such Wills, because of the temptation they had to falsify their trust, or work upon the weakness of the Testator; now by use and experience so little damage appeared in such cases, that he gives liberty to Testators to leave what they think fit, in a due and lawful manner to such persons, by way of Legacy or *Fideicommissum*.

Relaxes the former Rigour in making Testaments.

Theodorich moving against Zeno.

7. The CCCCLXXXI of our Lord had *Placidius* for Consul, and besides having thence a Consul was very remarkable to the East, for the danger that threatened it and *Constantinople*. The Author of this Danger, as *Euagrius* tells the story, was *Theodorich*, and him he terms a *Scythian* by Nation. He writes that preparing a War against *Zeno*, he raised an Army in *Thrace*; and wafting all the Territories that lay before him, peirced as far as to the entrance of *Pontus*, and was not far from taking *Constantinople*. His design was hindered by those nearest about him, or his most inward Friends, who being vehemently offended at him, conspired his Destruction. This being discovered by him he retreated, but not long after was numbered amongst the Dead though by other means. It happened that in his Camp, his Spear which was double pointed hung aloft according to the barbarous custome; It so hanging, he had a mind to exercise his Body, and his Horse was called for, he leaped upon him hastily, (as his manner was in doing other things) and the Horse being skittish and unbroken, before he could fitly dispose of his Legs, and sit fast in the Saddle, reared on end, so that *Theodorich* was extremely put to it to hold his hold, not daring to curb him, lest he should come over with him; and by this means being tossed about, and not commanding either Horse or himself, he light upon the Spear and so shook it, that it peirced his side with such a Wound, that taking his Bed he died of it not many days after. Now whereas *Marcellinus* placing this Accident in this year, relates it concerning *Theodorich* the Son of *Triarius*, and writes that he peirced as far as *Anaplus*, a place distant but four Miles from *Constantinople*, and thence purposed to March for *Illyricum* when he was thus by Death prevented. *Baronius* blames *Jornandes* or *Jordanus* the *Gothick* Historian, for writing this to have been not *Theodorich* the Son of *Triarius*, but *Walemir Amalus* King of the *Goths*, the Brother of *Theodowir* who was Father of *Theodorich Amalus*, who this year succeeded in the Kingdom of the *Goths*.

Miseries presently after.

Martian rebels,

8. To this story of *Theodorich*, *Euagrius* subjoyns other designs prosecuted against *Zeno*, which fell out about this time, probably, if not in this year, in that which followed, or the CCCCLXXXII of our Lord, which was characterised with the Consulship of *Severinus*. These things being done, saith he, *Martian* the Son of *Anthemius* who had been Emperor at *Rome*, and joyned in Affinity with *Leo* the late Emperor at *Constantinople*, began to exercise Enmity with the Emperor *Zeno*. The truth was, having Married *Leontia*, the younger Daughter of *Leo*, he aspired after the Sovereignty, which proceeded so far, that in the Palace a great Fight there was, many were killed on both sides, and *Martian* had the better, forcing his Adversaries to retire, and had been Master of the Court, if by deferring what he designed till the following day, he had not lost his opportunity, but taken time by the forelock. But the day following, he was betrayed by his followers and left alone, whereupon he fled to the Church of the Holy Apostles, and thence being taken by force, he went to *Cæsarea* in *Cappadocia*, where joyning himself with some Monks, to lie concealed, he was discovered, and sent by the Emperor to *Tarsus* in *Cilicia*, and being shaven was designed a Priest. *Euagrius* adds that these things were very Elegantly written by *Eustathius* the *Syrian*, who moreover related how *Zeno* laid almost infinite Snares to intrap *Berina* his Mother-in-Law, that afterwards he Banished her into *Cilicia*, and then again confined her to

Is forced to enter into Orders.

A. D. 480. Basilis jun. Conf.

L. ult. de in integrum restitutione minorum, Cod. Just. lib. 2. Tit. 22.

L. 22. de Testam. Cod. Just. lib. 6. Tit. 23.

A. D. 481. Placidio Conf.

lib. 3. c. 25.

A. D. 482. Severinus Conf.

Ibid. c. 25.

Idem Cap. 27.

to

to the Castle called *Papiriana*, wherein she died at what time *Illus* Usurped. The things that were done by *Illus* the said *Eustathius* very neatly related, then how being laid at by *Zeno* he fled, as also how the Emperor put to death him to whom he had given orders to kill him, cutting his Head from his Shoulders, to reward him for his fruitless endeavours. But *Illus* to conceal his Intentions he made Captain of his Troups that served in the East, and he contracted Friendship not only with *Leontius*, but *Marfus* an Eminent man, and made his Abode in the Eastern parts. And *Leontius* was declared Emperor at *Tarsus* in *Cilicia*; but what Fruit those men reaped by their Usurpation, when *Theodorich* a *Goth* by Nation, but held in great Honour by the *Romans*, was sent General against them with an Army, as well of Native Subjects as Strangers, and how they were miserably Slain by *Zeno*, for the good will they had born him; Moreover how *Theodorich* knowing the will and design of *Zeno*, betook himself to old *Rome*, the same *Eustathius* doth nearly deliver in Writing. So *Euagrius* too concisely, from whom it should seem that these men were persecuted by *Zeno*, and in a manner constrained to become his Enemies.

Zeno forceth others to revolt.

Vide Bar. ad b. An.

9. The CCCCLXXXIII year of our Lord, had for Consul *Anicius Paulus*, A. D. 483. whether in the East or West we are not certain, though the *Anicii* had their Estate in the West, as we have formerly seen, and their Abode at *Rome*; but that there was a commigration of *Roman* Families from one Quarter to another, may be easily granted; as also that *Odoacer* though he named no Consuls himself, might admit that those now subject to his power, might receive that Dignity. But as this matter is obscure, so are all other Affairs belonging to this year, and of civil concernment; for as to the Ecclesiastical, *Zeno* was too much employed in those of Religious concernment. But the year ensuing, or the CCCCLXXXIV, was remarkable for having two Consuls again, and one of them *Theodorich* a *Gothick* King, with whom was joyned *Venantius*: *Theodorich* was advanced to this Honour for having vanquished the Usurpers lately mentioned, for which he had also a Triumph, and a Statue on Horseback erected to his memory. This Victory touched at by *Euagrius*, is rationally thought to have given occasion to the conferring of those Honours mentioned by *Jornandes* the *Gothick* Historian. He writes that *Zeno* the Emperor hearing how he was appointed to be King of his Nation, took it acceptably, and by an *Evocatory* Letter, commanded him to come to the City, where he received him with worthy Honour, and placed him among the Nobles of his Palace; and after some time, to enlarge his Honour in reference to Arms, he adopted him his Son, gave him a Triumph in the City at his own Expence, and he was made Ordinary Consul; which saith the Historian is cried up as the chief good, and the first Ornament in the World. But this was not all, he also set up before his Palace a Statue on Horseback, to the renown of so great a man.

Theodorich a Gothic King is Consul.

Upon what account.

A. D. 484. Theodorich & Venantius Conf.

c. 57.

Zeno would make his Brother Longinus Cæsar.

10. The year of our Lord CCCCLXXXV, had *Symmachus* alone for Consul, and hath also little remarkable, except we take notice of what *Baronius* hints from *Marcellinus* his *Chronicon*, that *Longinus* the Brother of *Zeno*, who had been detained in custody by *Illus* in *Isauria* ten years, now came to him to *Constantinople*. Him did *Zeno* endeavour to make Cæsar, that he might leave him his Successor in the Empire, but because he was a profligate Person, never could he do it, being amongst others opposed by *Pelagius* a *Patritian*, a man of great reputation. For *Suidas* writes, that *Longinus* and *Conon* the Brothers of *Zeno*, making use of their power unjustly in all Cities, took the Estates of other men, and for reward defended such as were guilty of most grievous crimes. As for *Longinus*, being guilty of all sorts of Incontinency, he was the daily companion of drunken Persons; and kept many Pandars about him, who promising to convey to him the Wives of the greatest men, by bringing in splendid Chariots Strumpets that were curiously dressed, did but cheat him. He dissolved also a company of Nuns after this manner, being told by certain Procurers that they were very handsome, coming often to *Perge*, he sent them certain presents of things to Eat and Wear, and otherwise to divert them from their melancholick Life, and yet entering the Monastery, drew away more of them by force than persuasion. For he was so wont that importunately he would offer violence to Women of ingenuous condition, the Wives and Daughters of Magistrates, and carried himself impudently in all concerns. Nay, when he went abroad, he would cast away Silver Balls, and Bracelets to entice them.

For Longinus his dissolute Life hinders his procurement.

Vide Baron. ad b. An.

11. Such disorders were committed by *Zeno's* Relations; which we cannot wonder that he permitted, when his Government was out of order, by reason of the evil

Sebastian an E-
vil Minister.

Zeno's Son, a
great Debauch-
er.

Dies.

Zeno restrains
false Testimo-
nies.

Prohibits the
keeping of pri-
vate Prisons.

Which was for-
bidden by anti-
ent Laws and
-ethy.

evil Ministers he indulged, if *Suidas* be in this matter also to be credited. But he farther Writes, that the *Romans* had been sensible of an happy administration, if *Sebastian*, being most powerfull at Court, had not carried him every way as he listed, selling all things as in a Market, and not suffering any thing to pass in the Palace without money. All Offices he sold, partly keeping the money to himself, and partly dividing it with the Emperour, and who gave most was the man that was preferred. In conclusion, at Court there was nothing that was not sold. If it happened that *Zeno* gave an Office to any of his Friends, he would redeem it out of their hands, as if it had been a Captive, and sell it for a larger Sum. But what wonder should there be that *Zeno* would suffer such corruption, when he permitted the manners of his Son, and him that was to succeed him to be so corrupted? He, as the same Authour writes, adorned him with Dignities, and commanded him to exercise his Body for the increafe of his Stature. But those about him having got an occasion of emptying the Treasury, took care that the Youth should be corrupted with *Sybaritic* Luxury, and by their villanous pimping, provoked him to the love of those that were equal with him in years. Therefore the course of his Life carrying him to Pride and Luxury, being removed from all honesty, and bearing a lofty Countenance for his expectancy of the Sovereign Command, he began to go stately, and carry his Head high, and indeed to demean himself to all men, as if they had been his very Slaves. But for his depraved disposition, Providence so punished him, that defiling his Bed for many days without any Sense, he was taken away by Death in an immature Age. As for *Sebastian*, he was *Præfectus Prætorio*, several Laws being found directed to him both already, and hereafter to be mentioned.

12. The following year, or the CCCCLXXXVI of our Saviour, had two Consuls to characterise it, and these were *Decius* and *Longinus*. Their Names we find to three several Constitutions, published in this Consulship by *Zeno*, one on the twelfth before the Calends of *June*, whereby he gave authority to Judges to animadvert upon false Witnesses, ordering that all bearing testimony in civil matters should be examined aside and not before the Parties, and that without any prescription of Judicature. This is directed to *Arcadius*, the *Præfectus Prætorio*; and the second bearing date of the first of *July*, we find inscribed to *Basilus* with the same Title of *Præfectus*, and as it seems of the *East*, out of which a complaint was brought concerning private men, their using of Prisons. *Theodosius* the Great had formerly by an Edict, directed to *Erytrius* the *Præfectus Augustalis*, ordained that if any person should confine any Malefactor to a private Prison, he should incur the crime of High Treason. This concerned the *Diocese of Egypt*, or that of *Alexandria*, which City as above measure it was apt to breed Seditions, so it seems was fruitfull of such a kind of Insolence. "That Law was now so far laid aside, and forgot, that *Zeno* was constrained in many words to reinforce it, commanding that it should be lawfull to no man in the most splendid City of *Alexandria*, throughout the *Egyptian Diocese*, or in any Provinces of his Empire, either in their Fields or any where else at Home, to exercise the custody of a private Prison, but that the *Spektablis*, the *Præfectus Augustalis*, for the time being, and the *Clarissimi*, the Governours of all Provinces, should do every endeavour and be always watchfull, that the said Arrogance of most Wicked men might be suppressed. For after this his most wholesome Constitution the said *Præfectus Augustalis*, and whatsoever Governour of a Province, shall without doubt incur the crime of High Treason, if he know of such wickedness and do not punish it. The same crime shall be incurred by the *Primates of Offices*, if knowing of such forbidden practices committed in any place, they do not presently acquaint therewith their own Judges to have them suppressed. For it is evident faith he, that such as commit this sort of crime, even by the tenor of ancient Laws and Constitutions, are to be punished with Death, as Violators of Majesty it self, or Traitors.

13. By ancient Laws and Constitutions, that Edict lately mentioned of *Theodosius* is principally meant, intended for the same *Diocese*, and in both Constitutions the crime is declared to be High Treason, it being indeed such to bear ones self for a Magistrate, having no Authority, and so he doth who keeps a private Prison, which is one mark and Symbol of Royalty amongst others. Before the time of *Theodosius* private Imprisonment was onely restrained and punished by the *lex Julia de vi*; but whereas in his time other sorts of Violence were chastised by Deportation, or more light Punishments, he thought fit to inflict Death on this by making it High Treason, and for this reason, that whereas other Acts of Violence offended indeed

A. D. 486.
Decius & Longinus.

L. 14. de Testi-
bus, Cod. Jus.
lib. 4. Tit. 20.

L. 1. de Privae
carceribus in-
hibendis, Cod.
Jus. lib. 5. Tit. 5.

L. Un. Cod. Th.
Cod. Tit.

Semperque sunt
in ipsa.

Vide Gothofred.
in d. l. Theodofii.

indeed against the publick Discipline, such as Usurped the Right of Prisons strike at the Majesty of the Emperour himself, whose Prerogative it was by the Magistrates constituted by his Authority to commit to Prison. Indeed of old time such Debtors as could not pay what was adjudged, were wont to be committed to Custody, as appears by the Laws of the twelve Tables; but this Custome was now grown obsolete. By the *Lex Julia*, concerning Adulterers, A man who found an Adulterer with his Wife, might also detain him at his House, or where he first caught him for twenty hours by Day and Night; but this was not by way of Imprisonment, but for testifying and proving the Fact. Moreover by the *Pontifical Law*, Clerks may in private Houses chaste and keep bound their faulty Wives. And *Gothofred* tells us, that by the Custome of his Country, the same was granted to an Husband, after the hearing of the matter, the circumstances of perions being duly weighed; if so be a Judge committed the custody of a wicked and hare-brain'd Wife, to an honest and prudent Husband. Mad-Folks also may be kept up by their Friends and Relations, and the *Ergastula* or Work-Houses of Slaves and Freedmen, or such as sold themselves to Drudgery bore some resemblance to private Prisons; but were not such really and meant by those Laws: For hereby was prohibited that restraint which was put by greater men upon those of meaner Condition in this kind, and particularly by Possessors of Lands upon their *Coloni*, or Tillers, as *Gothofred* shews from an Oration of *Libanius*, written in the time of *Theodosius*. The Emperours were so tender of the Liberty of their Subjects in this point; that the *Stationarii*, as we have formerly seen, who were employed in searching for Malefactors, were forbidden to have a Prison, and keep them in Custody, though for a manifest Offence.

14. However, though this Constitution of *Zeno* was thought fit to be put into the Code of *Justinian*, yet *Justinian* afterwards enacted a milder Punishment for this crime of private Prisons. He forbade them to be used, and subjected such as usurped them to pain; and to continue as many days in publick Prison, as they kept any in a private one, of whatsoever Condition or Dignity they were. They should also loose the Cause they had against such as they so Imprisoned, by the care of the Bishop and the *President*. And if the President neglected his Duty herein, he should incur danger both of Estate and Life. The third Law made this year by *Zeno* is concerning the Advocates, which pleaded in the Court of the *Præfectus Prætorio* of *Ilyricum*, and their privileges. "He tells *Paulus* the *Præfect*; that he will allow his *Higness* an hundred and fifty and no more, as formerly had been ordained, and such when their term was expired, or they Died, or otherwise their number was diminished, shall be supplied by the choice of his *Magnificence*. At the close, whatsoever Privileges had been granted to the Advocates of the Prefectship throughout the East, without any difference, he confirms on the Pleaders of his most glorious See also. As there was a certain and determinate Number of Advocates in each *Forum*, so of that Number none were perpetual but Temporary. Yet scarcity of Lawyers about the time of *Theodosius* the younger caused them to be perpetuated. But then again, when there was plenty of Students, *Valentinian* and *Martian* for their Incouragement, reduced the ancient Law, which continued thenceforth to be approved and in use. Having executed honestly and with Ability the Office of Advocate for a certain time, they then were promoted to the Patronage of the *Fiscus* or Treasury, and afterward by degrees to other various Honours, enjoying that of the *Clarissimus* upon their leaving the Bar, where, in the Courts of the *Præfecti Prætorio* and of the City, they were wont to plead for twenty years, or fifteen at least.

15. The following year, or the CCCCLXXXVII of our Saviour, was enobled by the Consulship of *Boetius*, thought to be the same with *Manlius Severinus Boetius* Conf. that famous person of whom we are to hear much, being of the noble *Anician* Family. And for little more is this year famous, except it was for the danger into which the City of *Constantinople* was brought by the defection of *Theodorich* King of the *Goths*; for as *Baronius* well observes, there is very great difference betwixt Authours concerning his carriage toward the Emperour *Zeno*, some making him very serviceable and obliging till his very going for *Italy*, and seizing on that Country; and others writing him to have been false, and indeed to have fallen upon the West, because he could not become Master of the Empire in the East. But this we must farther inquire into, when we come to relate his Conquest of *Italy*. Now as to this year, *Marcellinus* notes that being fatiated with the kind Offices of *Zeno*, he came as an Enemy with a great Power of his *Goths*, as far as the Royal City and the town *Melantius*; and having set fire to many places retreated to *Novem-*

Justinian after-
ward mitigated
the punishment.

Zeno limits the
Number of Adv-
vocates in the
Forum of the
Præfect of Ily-
ricum.

Advocates now
perpetual.

Theodorich invades
the Empire.

L. 2. Cod. Jus.
cod. Tit.

L. de Advocatis
diversorum Ju-
diciorum, Cod.
Jus. lib. 2. Tit. 7.
Electione magni-
fica sua sedu.

Vide Cujacii
lib. 16. Obsequio.
l. 22.

sis a City of Mysia, whence he began his Expedition. As this year was otherwise empty of civil affairs so far as we understand, so that which followed, or the CCCCCLXXXVIII of our Lord was quite barren, only it had two Consuls by the Names of which it was marked, viz. *Dinacrius* and *Siphidius*. *Dinacrius* by *Siphidius* Conf.

16. In like manner that which followed, or the CCCCCLXXXIX of our Lord, had for Consuls *Probinus* and *Eusebius*, and all the Noise being now in the West, where *Theodorich* at length became Master of the Kingdom of Italy, little do we hear of in the East or at Constantinople. And though probably *Zeno* not otherwise diverted might be busied with his *Questor* in making Laws than we can know, there being many extant in the Code without date of Consul, yet find we but one Constitution made this year which was concerning Children; burthened by their Parents with a trust or *Fidei Commissum*, concerning their retaining a fourth part allowed by the *Senatusconsultum Trebellianum*. For the year CCCCXC only one Person, *Fauftus* by Name, is nominated as Consul in the *Fasti*, but others mention *Fauftus Junior*, and *Longinus* for Consuls the second time. This year is not Eminent except for the Murderer of *Pelagius* the *Patritian*, whom *Zeno* caused to be frangled in the Island called *Insula Pagahorum*; a Person famous in several respects, for Poetry, and for taking the liberty to reprehend him openly for his wicked Actions. At his Death, he prayed to God to punish him for his Cruelty and Injustice, which he said he underwent for repressing freely his Violence and withstanding the making of *Cæsar* his foolish Brother. He wrote an History in Verse, which took its beginning from *Augustus Cæsar*; he composed also *Homero-lentia* and other Treatises praise-worthy. But besides him, *Zeno* put to Death *Gazeus* a Rhetorician, *Arcadius* a Prefect, and other Illustrious Persons.

17. At length we are arrived at the Year CCCCXCI of our Lord, which brought the Punishment along with it prayed for by *Pelagius*, and in which *Olybrius* alone was Consul. *Cassiodorus* notes in his Chronicon, that *Zeno* died this year, and we cannot say he died and was Buried, but was first Buried and then died in a fearful manner. Either seized with the Epilepsie, or dead Drunk, or in a fit of a melancholick Apoplexy, which long after brought *Scotus* the great Schoolman to the same end, (if a late Eminent Physician hath made a right Judgment of the Disease,) he was laid out for Dead, and as such carried down into a Vault, where recovering his Senses, he cried out and made an horrible Noise. But *Ariadna* his Wife bearing him no good will, either out of hatred to his Vices, or because she desired another Bedfellow, would not suffer him to be relieved, so that if *Cedrenus* tell the truth, he was afterward found to have eaten the Flesh off his Arms, and the Buffkins he had upon his Legs. To some such end came *Zeno* with whom we have not yet done, finding many Laws of his making without Date, and therefore not able to assign them to particular years; but of such as are proper to our design we shall take notice. Observing how many men, to avoid the discharge of civil Duties, sheltered themselves in these days in the Service of the *Magistri militum*, "he declared that supernumeraries or such as were beyond the appointed Number in the "Office of him of the East, should be subject to the Sentence of civil Judges in "every Affair, even in reference to Tributary Collations; directing the Constitution to *Sebastian* the Prefect.

18. To remove a doubt, whether the same *Protor* after Sentence given in a Cause, might not prosecute it also in the Court of that Judge to whom it was appealed; "by another Edict he also declared, that one Person should not be *Protor* in two Judicatories, but that one should practise as such in the greater Auditory, "as for example of the *President* of the Province, and another in that from which "a Cause was appealed or referred, as for instance, that of him they called *Judex Pedaneus*; so that the same man who acted before the latter could not do it too "before the former, but should make a Translation of the Cause or the Mandate, "to some one of those which practised in the Court of the *President* of the Province, without any charge or expence for a new Caution, the former sufficing. "And he inflicts punishment upon both *Proctors* and *Apparitors*, who should "neglect this Constitution. For such as were assigned Judges, and not onely Magistrates, had also their *Apparitors*. And *Cujacius* farther observes from this Constitution, that as of *Advocates*, so also of *Proctors* there was a certain number in every Forum, to whom alone such as had Suits might commit their Business and not to any whatsoever, which holds also at this day. And in the last place, that each Judicatory had its proper and peculiar *Under Judges* or *Judices Pedanei*, to whom Causes were delegated or referred. These did not Act in their own Jurisdiction, nor executed their own Sentences, but to execute them, took some out

A. D. 488.
Dinacrius by *Siphidius* Conf.

A. D. 489.
Probinus & *Eusebius* Conf.

L. 6. Ad *Senatusconsultum Trebellianum*, Cod. *Jugl.* lib. 6. Tit. 49
A. D. 490.
Fauftus Conf.

Vide Bar. ad h. An.

A. D. 491.
Olybrius Conf.

Leges *Senatus* de *Apoplexia melancholica*.

L. 2. de *Officio Magistris Militum*, Cod. *Jugl.* lib. 1. Tit. 29.

L. 27. de *Procuratoribus* Cod. *Jugl.* lib. 2. c. 13.

Observo. lib. 13. c. 5.

from among the *Cohortales*, out of the *Schola* or *Serinia*, of which we have formerly spoken. But such Judges as were delegated by the Prince himself might have *Apparitors* of their own, or such as executed their Decrees, as Magistrates themselves; and so it is no wonder that they might delegate others, which the *Pedanei Judices*, or such as were delegated by Magistrates could not do. "This must be "said, that *Zeno* of Judicature had a great care, commanding by other Edicts "that Judges should follow strictly the Law, and not what was irregularly com-manded by the Prince. That they should dispatch Business, and if any Judge "at the motion of either of the parties protracted the Suite without necessity, "the other should betake himself to the Prince and make complaint of his delay. Now from one of the greater Judges the Prince was appealed to after Sentence, but a complaint might be made to him before Sentence of protracting the Trial. And before contestation of the Suite, the Judge might be refused; "but *Zeno* forbade "it should be aiter the Suite was contested. In case such Judge seemed incompetent, as to some Article or point of the Cause, he should by his own decree remit "that matter to some other Judge that was competent indeed.

19. By the old Law, if a man sued for more than was his own, either as to time, before it was due, or as to Sum, he lost his Cause. Now this *Zeno* thought unreasonable as to time, as afterward *Justinian* did as to the Sum it self, where there was no *dolus malus* or design of him that sued. As he took off the rigour of the old Law in this matter, so he was indulgent to Persons of the greatest Quality about him, and those who were his greatest Officers; or had executed the greatest places of Trust, when they appeared as Criminals. "He ordained that a *Patritian* or one who had been such, one who had been Illustrious "by executing the Prefectship either of the *Pretorium* or City, an ordinary Consul, or one to whom the Honour was given by the Prince his Codicills, "one famous for the having undergone the labour of the *Magisterian* Power, who "had executed the place of *Magister Officiorum* or *Questor*, who having been his *Præpositus Cubiculi* had been made a Senator, or one to whom he had committed the Government of the School of the *Domesticks*, or of his Treasures, of the *Res privata* either of himself or Emperors; if such after having laid down should be accused of a publick or private Crime, to which they could not answer by a *Proctor* living either in the City or in the Provinces, none should have cognisance of the same but himself, or onely such *Sacred Cognitor* to whom he should commit the hearing of the Business *vice sua*, by his sacred Letters. Yet so that "by such a Judge not being attended by the Ministry of any *Officium* or *School*, "after the manner and order of sacred Consultations, without any observance of fatal days, such Causes should be heard, the *Libellenfes* (*Viri Devotissimi* he terms them) of his sacred *Serinium* performing the Solemnities; He who is accused (that before proof no Injury may be done him,) having leave to sit in some part of the *Secretarium*, inferior to that of Judges, but above the ordinary one of such as have Business there. And out of respect to these Dignities, the very *Sacred Cognitor* himself, after the proof of the Crime, shall not determine "any thing against their Persons or Estates, but in the room of the Prince himself "hearing the merits of the Cause, if the Offence be proved, he shall certify him thereof, in whose power alone it shall be to punish offenders of such Quality. "But he declares it to be Law, as formerly it was, that such a *Cognitor* may absolve such a person and put a stop to the Calumny of the Accuser, except the Accuser be also of the same Dignity, for then his Calumny is not to be suppressed without consulting the Authority of the Prince.

20. "As but as for Illustrious Persons living in the City of Constantinople, who "without any actual administration were made honourable by Letters or Codicills, although by the Emperor's command, they had obtained such prerogative "as to seem to doe what they never did, in Causes Criminal they should be subject to the Judgment of the *Præfectus Pretorio*, the Prefect of the City and the *Magister Officiorum*, upon a special Commission issuing out from the Prince, so "as those men shall not have the liberty of sitting in Tryals: but such must know "that they shall not determine any thing about their Persons or Estates, when the thing is proved without consulting him. As for Illustrious Persons that lived in the Provinces, except such as the Cognisance of whose Crimes belonged to himself, or to such sacred *Cognitor* as he should depute in his room, and were accused of some Crime, they should have liberty to sit in the *Secretarium* at their Tryals, and their Crimes being proved, the Judges should abstain from giving Sentence against them or their Estates, till they had received Answers from the "Prince

Idem Obs. lib. 12. c. 1.

L. 1. 11. 12. de *Judicibus*, Cod. *Jugl.* lib. 3. tit. 1.

L. 1. de *procuratoribus*, Cod. *Jugl.* lib. 3. tit. 10.

L. 1. 11. 12. eod. tit. *Vide Cujacius* Obs. lib. 7. c. 27. & lib. 12. c. 21.

L. 3. *Ubi Senatus inter vel classis* mi. &c. Cod. *Jugl.* lib. 3. tit. 24.

Was kind to great Persons.

Pelagius the *Patritian* made away.

His writings.

Zeno is Buried and Dies.

Some Laws of his without date.

No one to be *Protor* in two Judicatories.

"Prince to their Reports. The punishment also due to Calumniators shall not be deferred by Provincial Judges, though the Parties have not the like dignity as before was spoken of. By this we see the great Privileges enjoyed by Illustrious Persons in this Age, whereof one was great, to have no fatal times. And the other of sitting in the *Secretarium* we have formerly seen allowed, it being ordinarily indulged to the Illustrious in criminal causes in a place inferior to that of the Judges, both in the City and in the Provinces; but to Honorary or Codicillar Dignities only in the Provinces. Hence some collect that such respect shall be paid to most eminent Persons, as to answer sitting. We see that in the *Secretaria* or Auditories of Judges, there were three degrees or sorts of Places; one of the Judges themselves, another of Illustrious Persons, and the third of Pleaders and such as had business to transact. It's observable also that this Law gives one exception to that Rule, That power Condemning and Absolving go together, so as a Judge that doeth one may doe the other. In the last place the Offices of Magistrates being Annual, they neither could ordinarily be Plaintiffs nor Defendants till their time was out.

21. Zeno, besides what we have already said of this subject, took great care for prevention and punishment of false Testimony. A false Witness he would have first impeached of Perjury, and then afterward of the crime of Falshood; of Perjury because Witnesses were not heard except sworn. If in the very time of Testimony a Witness were suspected to lye, he commands him to be subjected to torture. A person cast by a false Witness, if he pleaded might bring a criminal Action against him. If he would bring a civil, he should recover all damages, and besides this, the false Witness should be punished according to the Laws. If in the principal matter he was convicted of lying, the Judge might condemn him in the whole or less, and also subject him to punishment, observing over and above what formerly the Laws had prescribed concerning false testimonies. Moreover for prevention of a crime so horrible and prejudicial to the publick good, he gave authority even to those called *Judices Pedanei* to correct false Witnesses and subject them to torture, if they were *Plebeians*, taking to their assistance the *Præfatus Vigilium*. And in case such Witnesses were *Decuriones* or of Dignity, that such a Judge could not animadvert upon them, he should report the whole matter to the Magistrate, by whom he was delegated, so as nothing should be paid for the entering of the report; and if the thing was plain, then the Magistrate should give his sentence either for admitting or rejecting the Testimony. But if it required more search and scrutiny, the cognisance of the matter should again be delegated to the Judge, with a *non obstant* to any Prescription of the Court, and any privilege; for *Witnesses when they have given their testimony seem to have renounced all Privileges*.

22. "A person who denied his Adversary to be his Kinsman, and that falsely, and required proofs from him of such kindred, he declared should have no right to succeed as Heir to such person so denied, if he died intestate. And he who required such proofs should not be heard, except he took the Oath of Calumnia, and the right of Succession was preserved for him that swore. As for proving kindred he required five Witnesses, if there were no private Instruments or Writings, or three if such Writings were found; but if there were publick Instruments or Writings they should suffice without any Witnesses. In the last place one who was Witness to such Writings should be compelled to give testimony of them whenever it was demanded of him, after he had deposed as such. This care that Zeno had to prevent false testimonies, was very commendable, nothing being more prejudicial both to lawfull acquiring, and keeping an Estate. But he made another Law, which was also of very great moment, in order to the first of the two, and nothing is more memorable that he enacted. The practice of Monopolies had been complained of in all Ages, and under every Prince, as *Pliny* writes, and frequent *Senatusconsulta* had been made against them. Yet the Emperor might grant liberty when he saw convenient to a certain person or Body Politick to have the sole sale of certain Wares, under a burthen of such a Tribute or Imposition to the Treasury.

23. But Zeno by a Constitution directed to *Constantine* the *Præfatus Prætorio* thought fit to command, "That no Person whatsoever should dare to exercise a Monopoly of any kind of thing belonging to the sustenance of Man, or to any other use, of any materials whatsoever, by his own Authority, or by virtue of any Sacred Rescript either already procured or to be procured, or by any pragmatick Sanction, or any Sacred Adnotation of the Prince. Neither should

Took great care for punishing false Witnesses.

L. 1. 12. 15. de Testibus, Cod. Just. lib. 4. tit. 20.

"should any man conspire in any unlawfull Conventions, neither Bargain nor Covenant that the *Species* of divers Bodies belonging to Trade should not be sold for less than they agreed of amongst themselves. Moreover he forbid all Artificers in Building and undertakers, and the Professours of other various works, and Bath-holders to agree by compact that none should perfect a work which another had begun, nor meddle with a Business wherein another man was employed, giving leave to every one to have a work begun by one man, perfected by another, without any fear of detriment, and to denounce all such Acts without any fear or Judiciary charges. Upon him that should dare to exercise a Monopoly, he imposed confiscation of Estate and perpetual Banishment. And on the *Primates* of the other Professions, if for the future they shall dare to oblige themselves by any Compacts or Agreements, either for setting the Rates of Commodities, or any other unlawfull matters, a Fine of forty pounds of Gold. In the last place upon the Office of the Prefect a Mult of fifty; if such punishments, either through bribery, dissimulation or other fault, were not inflicted on Monopolizers and Politick Bodies committing such forbidden things.

24. By another Edict he thought fit to restrain the Marrying of ones Brother's Wife. "Although, he said, some *Egyptians* therefore thought fit to joyn themselves in Marriage with the Wives of their deceased Brothers, because after their death they were thought to remain Virgins, supposing according to the pleasure of some ancient Law-makers, that Marriage was not contracted without Copulation, and such Marriages in those times had been valid, yet he Ordain'd by that present Constitution, that if thenceforth any such Marriages should be contracted, their contractors, and such as descended from them should be subject to the Tenor of the Ancient Laws; neither according to the example of the *Egyptians* did they seem firm, nor to be confirmed. He farther shewed himself so great an Abhorrer of Incestuous Marriages, that by another Edict he commanded all his Subjects to abstain from them. "And whereas in the time of Usurpation, there were certain

Abhorred Incestuous Marriages.

"Rescripts, Pragmatick Forms or Constitutions which put the name of Matrimony upon wicked conjunctions, namely, made it lawfull in wicked Confortship, to embrace the Daughter of a Brother or Sister, or her that lived in the bond of Wedlock with ones Brother, or to commit such like Acts, he declared them as impious to be of no force, lest such wicked licentiousness should receive strength by dissimulation. This last of the Edicts beareth indeed in the Inscription the name of *Anastasius* the successor of Zeno as its Authour; but *Cujacius* judges the Inscription faulty; and that the true one was *Idem Augustus Sebastiano P. P.* For to *Sebastian* (as he hath it, but as it now is to *Severian*) another Constitution is directed for rescinding the Acts of the Usurper *Basiliscus*, as this also is designed; which *Sebastian*, as *Suidas* writes, was in manners most like to *Tribonian*, of whom hereafter. But as we have shewn already, this matter of Incest had been variously determin'd in various Ages, till the time of *Constantinus* and *Constans*, by whom it was made death to Marry the daughter either of Brother or Sister. But it seems something of this nature was permitted by *Basiliscus*, during his Usurpation; which Zeno after his recovery of his Power again, declared to be null and void. By an Edict directed to *Basilus* the *Præfatus Prætorio*, we think we find him to have formerly published another upon this subject of the marriage of a Brother's or Sister's Daughter. "This most grievous wickedness (*nosandissimum scelus* he terms it) which formerly under grievous pain had been by most Sacred Constitutions condemned, he prohibits by his iterated Sanction all manner of Ways. And he denies leave, for the time to come, to Petition him for such like *Conjugium* or *Contagium* rather as he words it, letting every one know that the Impetration of what the Petitioners was denied, though by surreption, after that day shall signify nothing at all.

An Enemy to tedious Suits.

25. For ending of Suits, Zeno Ordained, "That such as bought of the Treasury any thing challenged by another Person, or obtained such a thing of the Prince himself, as *Fiscate* or belonging to the Treasury, should not be disquieted by the pretended owner or any other laying claim to it; but that for the space of four years any Action should be against the Treasury it self; the prescription of which years should bar any such Suit or claim. Farther if the *Scriniarius* (or Procurator *Fisci* as some expound it) confests by Writings that the price is received, the Buyer shall be secured for ever. That every Person might attend his own business and to obviate the rapacity of Officers, he forbid the Governours of Provinces, as also the *Judices spectabiles* (though adorn'd with the illustrious dignity)

L. 8. de incestis & inestibus matrim. Cod. Just. lib. 5. tit. 5.

L. 5. five ult. Cod. tit.

Off. lib. 8. c. 28.

L. ult. Si quis de re scriptis, Cod. Just. lib. 5. tit. 5. c. 1.

L. 2. de Quædramm præscriptis, Cod. Just. lib. 7. tit. 37. *Ænea comiti reuam privatærum.*

L. un. de rationibus operum publicorum & de patribus civitatum, Cod. Just. lib. 8. tit. 13. Arcadio P. P.

"nity) to meddle with publick Works or Buildings, or as it seems the custome
"has been to receive one *solidus* for every *solidus* to be laid out, or any other emolu-
"ment: but to leave those things to the care and management of the *Receffores*,
"or as he terms them, the *Fathers of the Cities*, who were deputed to such Em-
"ployments. But if any promise or engage by covenant to raise any publick
"Work out of their mere liberality, though they be bound by such promise or
"engagement, they shall incur no damage, nor their Heirs, if the whole sum be
"not contributed, or the Work happen to be unprofitable.

A friend to the
Curia.

26. He was so carefull of the Courts of Cities and Bodies Politick, as in some
respect to be more strict than had been his Predecessours against pretences of free-
dom from their service. "For he would have none who from the beginning of
"his Reign were obnoxious to the said Courts, though *Comites Rei privatae* to hu-
"mour his Father-in-law, or *Comites Largitionum*, or *Domesticorum*, *Questors*, or
"Magistri Officiorum, though promoted already to execute such Offices, or who
"should be promoted, for or in behalf of such Offices, to escape the snares of
"those *Curial* Employments as he terms them; but should be bounden to them
"with their children whensoever born, and their Estates after the laying down of
"their said Offices, except they were secur'd by other Privileges upon this account
"by known Laws. For all other lawfull Indulgences and Privileges granted by
"Constitutions, he would have remain inviolable. And that persons so indulg'd
"might not seem to enjoy an empty name, if they executed the *Curial* Offices by
"their Substitutes at their own charge, they should have the Privileges of their
"Dignity entire and without abatement. As for such as obtained the aforesaid
"Dignities before the beginning of his Reign; he Decreed that they with their
"Estates and their Children should after such dignity be freed from all obligations
"and burthens of the *Curia*. And for those who at any time had been or should
"be made *Patritians*, *Consuls*, *Consulares*, *Magistri Militum*, *Præfetti Prætorio*
"of the *East*, of *Ilyricum*, or *Præfetti Constantinople*, so as to execute the places
"themselves, should to all purposes with their Estates and Sons born after their
"Dignity be free from such obligations. But Zeno was farther so carefull about
"these Courts and Corporations, to have their services perform'd, as we see it was
"the great endeavour of his Predecessours, for such reasons as we have heretofore
"expressed, "That he made it unlawfull for the *Decuriones* to sell their hereditary
"Estates without a Decree of the Court, and this Decree should not be taken for
"valid, if only signified in a Brief or piece of Paper, but it must be made *Verbo*
"voce by the major part, upon which a sentence of a competent Judge must be had
"for confirmation of the purchase. Now this Law speaking onely of Sale and not
"of Donation, is called *Mirabilis* or Wonderfull by *Justinian*, as if there were not
"reason to take care as well of the one as of the other. But this may be said, that
"we more easily fell than give, and therefore there was no such occasion; but
"however he thought fit by a Constitution to ordain that no Donation, nor any
"Alienation should be good without a Decree of the Court; nay, afterward that a
"Donation even with a Decree (for other reasons of that time then moving him)
"should not be valid.

He was carefull
for furnishing
the City of Con-
stantinople with
water.

27. The City of Constantinople was again grown so vast and populous, that
fresh water was become a very pretious commodity with them, and this put Zeno
upon making three several Constitutions for security of the publick Fountains and
Aqueducts. "By one he signified to *Amantius*, *Præfetti* of the City, that if he
"or any of his Successours should alienate the Gold deputed to the repair of Aque-
"ducts to other uses, he should restore it out of his own purse. And that there
"should be a peculiar *Arcarius* or Treasurer for keeping what Gold belonged to
"this service either proceeding from the liberality of the *Consuls* or other ways.
"By another he declared that a Fountain which either from the beginning was
"publick, or afterwards made so, should not be applied to the use of private men
"though a Rescript were obtained for that purpose. By a third he forbade the pur-
"chasing of publick water by private Pipes, the planting of Trees by the Aque-
"ducts whereby their Walls were ruined, and deriving the Water to Houses of
"Pleasure, Gardens, Watermills, or Baths under such pain of forfeiting the building,
"as should not be remitted by the Prince his Letters. And he would have the
"Aguarii, or Keepers of those Waters and Aqueducts, to be marked in the Hand as
"were the *Tiromes* and *Fabricenses*, with the Emperour's Name, that being known
"they might not be forced by the *Procurators* of the Palaces or others to any other
"Employment. And if any of them died, he who succeeded, should for the same
"reason, be marked in the same manner.

Of

To keep up the
honour of Patri-
tians.

28. Of Dignities he chiefly concerned himself for that of *Patritian*, that it might
not become too cheap or common. "He forbade that any should rise to that
"sublime honour (which, faith he, is set before all the rest) except he had be-
"fore enjoyed the honour of the Consulship, had been *Præfetti Prætorio* of the
"East or of *Ilyricum*, or was known actually to have exercised the Prefecture
"of the City, the Office of *Magister Militum* or *Magister Officiorum*. And because,
"as he faith, he thought it his part to procure the good of the most glorious City,
"which was Head of the World; all ways possible, he Ordain'd that all who
"afterward should by the Emperour's munificence be adorned with the Ensigns
"of the Honorary Consulship, should pay the sum of an hundred pounds of Gold
"towards the repairing of the Aqueducts, in like manner as they who during the
"space of a year gloried in the setting forth of Consular works. For them it also
"behoved, that the most flourishing City being sustained by the munificence of an
"hundred pounds of Gold, should also be sensible of the honory Consulship. But
"for the encouragement of *Consulares* or Honorary Consuls he declared by another
"Edit directed to *Sebastian*, that those most excellent Men, as he terms them,
"either then made or to be made, might proceed and in reality be Consuls for a
"year, the Prince his judgment or award therein being procured; so as having
"finisht the Procession so obtained, they should not seem to have got some new
"thing they had not before; but only to have iterated the right of Consulship
"which once the Consular procession had derived upon them, and in adorning the
"Purple, and farther obtaining all the Honours of Consuls and their Privileges they
"should have them commence from the former time of promotion. Moreover
"such Consul should not be compelled to pay the hundred pounds of Gold for
"the Aqueducts of that famous City, enjoyed by a Sacred Constitution, which
"being but *Consularis* he had formerly paid.

Which yet Ju-
stinian thought
not enough.

29. Thus we see how carefull Zeno was for preserving the Grandeur of Digni-
ties, especially that of the *Patritian*, and yet *Justinian* thought this was not
enough; but out of his rather superabundant care, as he himself confesseth, ad-
ded unto it. "He Ordained that those high Persons should upon receipt of the
"Emperour's Codicils immediately become *Patresfamilias* or Heads of Families, and
"be freed from that Paternal power which the Roman Laws gave to Fathers over
"their Sons not Emancipated, lest they who were honoured as Fathers by the
"Prince, should be subject unto others, it being a thing not sufferable, he judged,
"that a Father should be in capacity by Emancipation to release a Son from such
"obligations, and that his Imperial Highness should not be able to free him whom
"he had chosen for his Father, from the power of another person. But so he will
"have it, that the Imperial Majesty be not diminished. It being sufficiently certain,
"that such a thing rarely happened; for no man, faith he, can easily remember a Son
"of a Family to have been promoted to the honour of *Patritian*, as is usual in the
"Consulship; but lest such a thing in time should happen, and be found without di-
"rection of Laws, he thought fit to Ordain. Taking such scope to provide for
"things which not onely did usually happen but might possibly do so, he might well be so
"numerous in his Laws, as we shall find he was upon his new model. But this reason
"of the Rarity of the thing ceased to be a reason with him afterward, when he
"also communicated the same privilege of being freed from the Paternal Power
"upon other persons; upon better thoughts, as he faith, even upon Consuls really
"such, and by Codicils; the *Præfetti Prætorio*, the *Præfetti* of both *Romes*, and the
"Magistri Militum. He esteem'd it a thing, he faith, unbecoming both his Laws
"and times, that persons who were Judges, over so Great men, and commanded
"others to continue under the Paternal Power should themselves be subject to it:
"He would have this taken for a general Rule, that every Dignity and every
"Girdle which freed persons from Services of Corporations, should also free them
"from the power of their Fathers, to whom this should be so great an honour that
"they had such sons, that they should with joy give them their *Peculia* and other
"Rights which were wont to follow Emancipation, the Privileges of which were
"not to succeed these thus conferred by Imperial Authority. In the last place he will
"have this Privilege of freedom from Paternal Power to extend to Spiritual Fa-
"thers or Bishops, who also from their Ordination were freed from that of the
"Curia.

Zeno was kind
to his Courtiers.

30. By other Laws made in behalf of the *Primicerii* of the Notaries, and the
ten Tribunes after them, the *Silentiarii*, the *Principes* of the *Agentes in Rebus*, and
the *Schola*; Zeno much obliged these sorts of his Courtiers, moderating Fees to be
received of them in Courts of Justice, and gratifying them otherwise in particu-
lars

L. 2. de Consul-
bus, c. 1. Cod.
J. 1. lib. 12. tit. 23.

L. 4. ejusd. tit.

L. 5. et ult. ejusd.

Nucl. 81.

Vide Titulus 7.
15. 27. 30. 41.
lib. 12. Cod. J. 1.

lars which are too tedious here to be related. He was so carefull of his Army that it might be furnished with fit Souldiers that should be at his devotion, "That he forbade that any Horseman or Footman in any *Numerus*, or in any Limit should for the future be received or lifted without the Warrant (*Probatoria*) of the Emperor, antiquating the custome which had formerly obtained, which gave to the *Magistri Militum*, or *Duces* the power of granting such Licences. If the most Eminent *Magistri Militum* for the time being, or the *Spellabiles*, the *Duces* thought it necessary to fill the places of the Dead, after the debating of the matter they should signifie to the Prince, who and how many were to be added, and in what *Numerus* or Limit, that so they might become Souldiers by his Majesty's order and Authority. And he inflicts a mulct of an hundred pounds of Gold upon the Office of the *Magister Militum* to whom he directs his Constitution, if it was violated in any part. Some other Laws we find made by *Zeno*, but they are either of such matters as relate so nearly to the *Jus Primatum* that they are not so proper here to be mentioned, or else made in favour of the Officers of the *Scriniis*, of which we have said so much already to give the Reader an insight into those matters that no more is now to be added. It's time to take our farewell of *Zeno*, with this farther note, that he Reigned seventeen years and five months.

31. *Zeno* being removed, *Longinus* his Brother having been by him advanced to great Authority, purposed to set up for himself, and little doubted to obtain the Empire. But *Ariadne* the Empress had another man in store, one whom with more love and less noise she could take to her Bed, and make her Partner in the Throne; for she was resolved to play at no smaller a game, *Zeno* having not left her any Children. This was one *Anastasius* probably a very comely man, as having little else to recommend him to the favour of the Lady, and by her to the greatest of Earthly Dignities. For he had never reached so much as the degree of Senator, onely was enrolled in the *Schola* of the *Silentiarii*, such a company as had little of business and publick employment as we have heretofore seen. He was born as *Euagrius* writes, at *Epidamnus*, afterward called *Dyrrachium* and enjoyed the Imperial Sceptre with the Wife of *Zeno*, in the year *CCCCXCI*, and the Consulship of *Olybrius*.

32. The first thing he did was to send down into *Isauria*, *Longinus* of whom we now spoke, under what Guard, or upon what security for his peaceable demeanour we know not, but *Euagrius*, who tells this story, adds, that to several others of that Country who desired it, he gave leave also to depart thither. As he had made a shew of great Piety while a private man, he did not at first throw off that vizard. He was a great maintainer of Peace and Quietness, not permitting any great alteration either in Church or State, which Principle (if that according to *Euagrius*, was the Principle of his Actions) might make him hold the Maintainers and Oppugners of the *Chalcedonian* Council in equal esteem and balance. The same principle put him at his first coming to the Empire upon such courses as might tend to his own ease and establishment, however he otherwise appeared when he thought himself fast upon his Seat. He banished Informers out of the City, and did another thing, which *Euagrius* terms a wonderfull or Divine Act, and the History of which he cannot but deliver to posterity, though to speak thereof according to the Dignity of the Subject, he stood in need of the Tongue of *Thucydides* or some more eloquent and copious Orator.

33. There was a wicked Tribute (he calls it) odious to God and Man, highly unpleasing even to the Barbarous Nations and abominable to all professing Christianity, which yet was exacted of all the Subjects of the *Roman* Empire, but not regarded (as such) till this time of *Anastasius*, who acted by Royal and munificent Principles took it away, not without the applause of all people under Heaven. This Tribute, called *Chrysargyrum*, was imposed on Whores and Bawdy-houses especially, upon Beggars, Slaves, and Freed-men, Divorced-women, upon all sorts of Men of what condition soever, for their Horses, Mules, Asses, Oxen, Dogs, and such like Creatures, nay, Dung it self, and that with all rigour imaginable. Every fourth year it was paid to the chief Magistrat by the under Collectors, and by them unto the Prince his Officers; those that were employed in it, being none of the meanest, nor the Office it self esteemed base and contemptible in the Commonwealth.

34. *Anastasius* weighing with himself the whole matter, acquainted the Senate with his sentiments, told the Fathers what an heinous and horrible thing it was, commanded it should be quite abolished, and burnt the Rolls and Records made for Levying of it. Having done this, he counterfeited great trouble and anxiety of mind,

L. ult. de remilitari, Cod. Just. lib. 12. tit. 36.

Euagrius lib. 3. c. 28. 29.

A.D. 491. *Olybrius* Cons.

Idem lib. 6. 39.

Vid. si libet Epist. de magnitudine Romana, lib. 2. c. 6.

mind, accused himself of folly and madness, of vain glory and inconsiderateness, in that he had taken away so great a Tribute, and of so long continuance, not foreseeing the inconvenience which would follow thereupon, particularly in the pay of Military men who are the Bulwark of the Commonwealth, and in the sustenance of those who were by it maintained in the service of God, no less conducing by their Prayers to the security of the Empire. Making no man acquainted with the depth of his design, he declared his will to be that the Tribute should wholly be restored, and calling to his presence the old Receivers, told them he was heartily grieved that he had burnt the Records; that he knew not what to do, nor how to excuse his folly, they being confuted. They bewailed their loss, and deplored the condition into which they were irreparably fallen, not knowing what overture to make for the restitution of their late employment. He, in extremity as it were of passion, begged of them that they would use yet their utmost endeavour, and try whether they could not find some Papers which might give them some light to settle the Tax in such a method as it had formerly been raised. He commanded all the Records in the Countrey to be searched, and every Scroll wherein mention was made of this Tribute to be brought to him, that he might use the most effectual means for its restitution.

35. He seemed exceedingly to rejoice at the sight of such as they presented to him; demanded where they found them, if they were to any purpose, and if they thought there were yet any more left undiscovered. They answered that their labour and travel had been great, that they had rode about night and day, had searched Town and Countrey, and they swore by the Emperor's life, that in all his Dominions there was not one Scroll more than what they produced. Then commanded he a Pile to be made, and all the Papers, Registers, Records, Bills, and Bawdy notes to be put thereon and burnt to ashes. When the fire had done its part, he commanded water to be cast upon the Cinders, either quite to obliterate them, or to carry them away with the stream, hereby intending so far to abolish the monuments of this filthy Tribute, that neither spark, ashes, letter, nor any thing relating to it might remain to posterity. To this purpose *Euagrius* words it in commendation of *Anastasius*, and in the two following Chapters inveighs against *Zosimus* for maliciously writing that *Constantine* the Great first invented the *Chrysargyrum*, and for otherwise slandering that Emperor. How far *Zosimus* is to be credited, we have seen already in the particulars enumerated and aggravated by him.

36. Others relate that *Anastasius* at his first coming to the Government farther obliged the State by conferring those Offices of Magistracy *gratis* which had been wont to be sold by his Predecessour. That by other Acts of generosity he so far wrought upon the hearts of his people, that sober and understanding persons conceived great hope of an excellent Prince and a flourishing Commonwealth. But if *Suidas* be to be credited, those goodly appearances vanished to nothing as soon as once he thought he had settled himself; His generous humour degenerated into Covetousness, and his good Government into a sort of Oligarchy, by his setting all Offices to Sale, winking at heinous crimes for reward, spoiling the Provinces and exhausting the wealth of his private Subjects. *Euagrius* also, whom we lately heard playing the Orator in his commendation, represents himself as proceeding too far in a *lib. 6. 42.* *Panegyrick*, telling us that as the Acts formerly mentioned were noble, worthy of *Anastasius* and the Majesty of an Emperor, so immediately after he did such things as blurred the lustre and stained the glory of the former. For, he devised another sort of Tribute called *Chrysotelia*, and to the great damage of the Empire, made Merchandize of the Souldiers wages together with other exactions. For he took from the Courts the usual exaction of Tributes, and in every City made those that were called *Vindices*, at the instigation, it was said, of *Martinus Syrus* his chief Minister was lost, and the reputation of Cities vanished. For before that time the Names of Nobles were entered in the Register of all Cities, which esteemed those that were made free of their Courts, and honoured them as a Senate. From a sense of this year of his Reign a Sedition is said to have happened amongst the *Plebeians* at *Com-Vide Barro. ad* *stantinople*, wherein the greatest part of the City and Cirque was burned, at which time it also thought, that the most sumptuous Hospital of *St. Sampson* perished, as also that incomparable Church of *St. Sophia*, rebuilt afterwards in a more magnificent manner by *Justinian*. *h. An.*

He confers Offices of Magistracy gratis.

Soon changing for the worse, invents the *Chrysotelia*.

A Sedition and Fire at Constantinople.

Anastasius succeeds him.

Who making great shews of goodness,

Banisheth Informers.

Takes away the *Chrysargyrum*.

Good Laws be made in his first year, but none extant concerning the *Chrysargyrum*.

The *Isaurian* War.

Euagrius his story of it.

Not agreeable to later Writers.

37. Now after we have heard Historians, and those little diligent, especially in Civil matters, it would be well if by any Edict or Constitution found in our Law Books, we could give testimony to what they write about his taking away the *Chrysargyrum*. One other Constitution indeed he made in his very first year, and relating to the Revenue, indulgent also to the subject, but nothing of that nature: "For in the first he Ordains that in all Dioceses and Provinces whatsoever hath possessed the Patrimonial lands of the Prince, those anciently belonging to Temples or those called *Agonothetæ* or deputed to sports and pastimes of the Empire, or those by combat, for the space of forty years, shall retain them, whether he held them by a just or unjust title, or with paying the Canon, or without paying it, for the said space of forty years, in the same way as before he held them. Nay we find by another Edict dated in this Consulship of *Olybrius*, "That all we find by another Edict dated in the Publick, which were not limited by Actions, though they concerned the Publick, which were not limited by the term of thirty years, or under, should be excluded and extinguished by a prescription of forty; a Constitution memorable in this respect of forty years, which therefore, he faith, he published, that he might cut off all opportunities of doing mischief. This his Edict was large, and in such general expressions, that this Prescription of forty years was pleaded by certain persons who by their originals taken away at the Importunity of the Monks of *Jerusalem*, and upon occasion of *Timotheus Gazæus* a most wise man, his writing a Tragedy upon this Subject.

38. The year following, or the CCCXCII. of our Lord is famous for little, except it be for the first Consulship of this Emperor, which he bore together with *Rafinus*. It's little more memorable for having one Constitution bearing date the first of *March*, whereby *Anastasius* forbade under severe penalties, "That any should usurp the Offices and Conditions of the Denote men (as he terms them) serving (Militantes) in the Sacred *Scriniū Memoræ*. But it also is said to have given original to the *Isaurian* War which continued five or six years, as several relate, and as *Euagrius* writes was raised by *Longinus* the Brother of *Zeno*. This man, though he had been Competitor for the Sovereignty, he sent as was said into his own Country, and with so little Guard and Watch upon him, it seems, that he had opportunity to raise men and make great preparations, and the Bishop of *Apamea* in *Syria* joyned with him. But in the contest *Anastasius* had the better, and an end was put to the War, partly because the *Isaurians*, who joyned with *Longinus*, were utterly defeated, and partly, *Euagrius* says, because the Heads of *Longinus* and *Theodoros* were by *John a Scythian* sent to *Constantinople*, which Heads the Emperor caused to be set upon Poles over against the City in a place called *Syæa* beyond the water, which was, he adds, a grateful sight to the Citizens who had been formerly much plagued by *Zeno* and the *Isaurians*. Another *Longinus* surnamed *Selinantius* (whom others make the same with *Zeno's* brother, one of the Principal Conspirators) and another called *Judas* were sent alive, and with chains about their necks were led in triumph through the Streets and the Cirque, to the great rejoicing both of the Emperor and Citizens. By this means the Tributes called *Isaurian*, which had been paid yearly to the Barbarians, amounting to five thousand Pounds, were brought into the Emperor's Coffers.

39. Such is the Relation *Euagrius* gives us of these matters, wherein are some particulars which badly agree with the reflexions made on them by later Writers. For whereas he saith that the Heads of *Longinus* and *Theodoros* when set upon Poles were a delightful spectacle to the Citizens of *Constantinople*; *Suidas* on the contrary writes, that the said *Longinus* the brother of *Zeno* for his profusefulness was exceedingly beloved by the multitude; and the Civil War or Tumult which *Marcellinus* hunts to have happened at *Constantinople* against this Emperor in the third year of his Reign, and the Consulship of *Albinus* and *Eusebius* (though *Albinus* be named alone for this year by *Cassiodorus*) is therefore judged by *Barontius* to have proceeded from this very cause, the Rabble being enraged that it's good Master and Patron was put by the Succession, which as well the Multitude as he himself, desired impatiently. But it seems the Multitude being without an Head, the Tumult came to nothing, though it flew to so fawcy height, that the Statues of Emperor and Emperors were by Ropes tied to them dragged about the Streets. This Tumult probably happened at the *Circenian* Games: Yet it's said farther by *Marcellinus* that *Julianus* a *Magister Militiæ* fighting by night, was killed by the *Geticks* sword in *Thrace*.

40. Passing

A charitable Constitution.

The Military privilege as to making Testaments explained.

The way of registering Deeds of Gift.

Anastasius takes care of his Revenue.

40. Passing to the year CCCXCIII and the fourth of *Anastasius*, we find two Constitutions made by him, and little or nothing else of moment. Neither is the one of those of such concern here as we think it proper to mention it. By the other he obviates an abuse committed in those times against a wholesome necessary law and custom. This was in time of want and necessity to impose the finding of Wheat, Oil, and other Species upon particular Provinces, as we have seen heretofore, which sort of Charity and Neighbourly course for one Member of the Empire to relieve another, some persons were so far industriously to evade, as to procure a Brief under the Emperor's hand, a *Pragmatic Sanction* or a *Judicial Decree* to that purpose. "This he so far disapproved as to declare all such Licence should be void for the time to come; and farther declared, that from such furnishing of necessaries, according to their proportion, none should pretend exemption, no not his own. "Houfe, or that of his most Serene Wife or Emperors. The succeeding year is remarkable for nothing; not for the Consulship of one *Viator*, though some joyn to him *Emilianus* as a Colleague. That following, or the CCCXCVI of our Lord, had one *Paulus* for Consul without a Colleague, and several Constitutions of *Anastasius* we find bearing date of it. We have formerly told the Reader how great Privileges, as to making Testaments, Souldiers enjoyed, so as no Solemnities were required of them therein, when in expedition. "Now there were some who attended on the *Magistri Militum* called *Scriniarii*, and *Apparitores* who executed their orders, and their names were also entered into the *Matriculæ* or Muster-Rolls, being much of the nature with those they now call Secretaries to Generals, or great Commanders; and those men as Souldiers pretended to the same Privileges as to making Wills. But such persons seeming, but not being Souldiers in reality, he declares that by no means they shall enjoy that Military Right by an Edict dated on the Ides of *February*.

41. By another bearing date of the last of *April*, he partly confirms and partly repeals a former made by *Leo* concerning the Insinuation or Registering of Donations. "So far he confirms it as to Decree that they shall be insinuated by the *Magister Censuum*, but whereas *Leo* permitted out of *Constantinople* in the Country Insinuations also to be made by other Officers, he will have it as well in Country as in City by a *Magister Censuum* alone, under pain of twenty pounds of Gold, to be forfeited as well by them that receive, desire and procure such pretended Insinuations, as also the *Tabelliones* shall give their testimony in no incompetent place and Judiciary. On the first day of the same Month, we meet with another Rescript directed to *Anthemius* the *Præfectus Prætorio*, as the other is to *Euphemius*, which we should have mentioned in the first place. By this he took care for his Revenue that it should not be diminished by Revelations or Relaxations of Impositions upon Cattel, too usually granted it seems at this time. If a Province or City petitioned for any such Relevation, or for an *Inspector* or *Peræquator*, it should be by Petition referred to the Prince himself, and upon Oath first made; and the *Præfectus Prætorio* should give no answer, but after fully having instructed the Emperor, and by receiving a form from him, which was to be observed in all particulars. But he would not permit a private person to Petition for this Relevation of the Capitation of Animals; a Corporation or Province might. Other matters transacted in reference to the Tributes he would not have valid without licence of the Prince himself had in Writing, under pain of making good to the Treasury all wherein it was damaged, and inflicting the fine of fifty pounds of Gold upon the breakers of the Law. And he ordains that all Fiscals Dues shall be paid in at thrice, as also those called *Armeniacæ*, viz. on the first of *January*, the first of *May*, and at the end of the Indiction (which began in *September*) divided into three equal parts, without any innovation to be made by Collatours in the mean time. But because the Prestation of the *Armenian* Tributes was divided into two Pensions, they might, if they pleased, observe that Customs so as to pay them in two Pensions, and another half in the *September* of the next Indiction. But if they would pay in at three payments they should be respected the whole *September* of the future Indiction. But that called the *Before-sent*, should as it ought be paid in at the beginning of every Indiction, even as the very name imported. As by this Law he took care for his own Revenue, so by another in *July* following, that the Subject should not be harassed by Compulsors as to the payment of it; but Compulsors he did allow after a time, which Officers were afterwards taken quite away.

42. The CCCXCVII year of our Lord had for Consul *Anastasius* the second time, and him alone. And we find him to have had so little of other Civil Employ-

L. 2. de bonorum possessione &c. Cod. Jusl. lib. 5. tit. 13.

L. 1. ut nemini liceat, &c. Cod. Jusl. lib. 10. tit. 27.

A. D. 496. Pauli Conf.

L. 16. de Testamento Militis, Cod. Jusl. lib. 5. tit. 21.

L. 32. de Donationibus, Cod. Jusl. lib. 8. tit. 54.

Per virum Clericissimum.

Magistrum censuum tamammodo.

L. ult. de Annis & Tributis, Cod. Jusl. lib. 10. tit. 16.

L. ult. de exactionibus Tributorum, Cod. Jusl. lib. 10. tit. 19.

A. D. 497. Anastasius A. 2. Conf.

He ordains divers things in behalf of Advocates.

ment though with Ecclesiastical he busied himself too much; that he had leisure to give attention to the suggestions of his *Comes rei privatae*, and the Proconsul of *Africa*. "To these Persons had been presented Petitions by the Advocates of their Courts, desiring that through the liberality of the Prince they might after the time of their Advocacy be expired, be honoured with some Dignity. This he granted, permitting that after their time was out, they should be esteemed and held in the rank of *Clarissimi*, and that of the first Rank or Order of *Comes*. This Privilege he granted to those Advocates at the end of this year, and being so kind to this Profession that by several other Constitutions he enlarged the Privileges also of those that belonged to other Courts, we shall here take notice of them together as they occur in the same title of the *Code*. Four years after he declared, "That such Advocates as belonging to the Court of the *Præfælus Prætorio* of *Illyricum* were promoted *pro tempore* to the degree and office of Advocate of the Treasury, should together with their Sons born and to be born, be loosed from all bonds and ties of a *Cohortalis* or any worse condition, together with their Patrimonies, in like manner as were free the Advocates of the *Præfælus Prætorio* of the East, and of the Prefect of the City. And he gives this reason to *Thomas* the *Præfælus Prætorio* of *Illyricum*, to whom the Constitution is directed, that "these three Prefectships were Germane Potestates.

43. Four years after this he declared by another Edict, "That the Primate of the Advocates belonging to the Court of the *Comes* of the East, should for two years execute the office of *Patronus Fisci*, or Advocate of the Treasury, and have the Emoluments. That the number of Advocates in that Court should be reduced to forty, so as those that were at present Supernumeraries, should not be rejected. "That those who had discharged the Office of *Patronus Fisci* should not be prohibited to plead for themselves and near Relations, though it was against the Treasury itself. That their houses should not be subject to the *Metatus* or Quartering. That the *Sportule* paid for them, for their *Coloni* and Slaves should not be excessive, but according to a Table presented to the Emperor. That none should be added to their number till he had completed the time of Study prescribed by the Laws. That the sons of Advocates and of such as had executed the Office at the Treasury, whether alive or dead, should be preferred before Strangers coming to be admitted, provided they had finished their time of Studies, and that without any expence or Fees. That the Profits due should be acquired not only by such as had been Advocates of the Treasury, but if dead by their Heirs; that such Advocates should not be compelled to employments, molested with the burthen of exhibition without the Authority of the Prince specially intervening, and being sued should be cited by decree of the *Comes* of the East, if in his Province, before whom the cause should be heard as the competent Judge.

44. He was so great a favourer of these *Patroni Fisci*, or Advocates of his Treasury, that he was still adding new honours to them. For, the following year, being farther apprehensive of their merits, as sensible how both laudable and necessary the Office of an Advocate was, he Ordained, "That when in actual service they should be admitted, on the first of January of the year they served, to receive gifts among the *Comites spectabiles* of his Consistory. That after their laying down, if they had Legitimate Sons, they should be admitted amongst the *Clarissimi*, the Notaries, and receive the Letters, without Fees for moving it. That they should confess a Debt without any *Arbitrator* before one or two of the present Advocates of the Treasury with the usual solemnity of Registering. So if they had a mind to declare any thing concerning their children, though no Instruments of Dowry had been drawn upon intention of Marriage. That before them Slaves might be manumitted as before the Glorious Consuls. And besides, he confirmed all other Privileges granted them by other Laws. These four Constitutions were directed to *Eusebius* the *Magister Officiorum*, to *Thomas* the *Præfælus Prætorio* of *Illyricum*, and to *Constantine* and *Eustachius* with the additions also of *P. P.* But of what Districts these two last were Prefects is not expressed; it seems the Advocates belonging to the Court of the President of the second *Syria* were not concerned in the former Edicts; for two years after we find them to have petitioned the Emperor that they might also be considered in the like sort. "And to them he granted the Privileges expressed in the third Constitution; reducing their number to that of thirty, so as the present Supernumeraries should also be considered: This is directed to one *Sergius* with the addition too of *P. P.* being, it's to be supposed, Prefect of the East, wherein was this Province of Second *Syria*.

L. 5. ejusd. tit. Dat. Cal. Dec. Annullis by Agapin Coll. A. D. 508.

L. 1. de Advoc. tit. 1. de Advoc. Justinian, Cod. Just. lib. 2. tit. 8. Dat. 11. Cal. Jan.

L. 2. ejusd. tit. dat. 12. Cal. Decemb. Patrius by Hipp. Coll. Ex non delictum fit, non tantum sed etiam Justinianus ita edicti germanas esse potestates.

L. 3. ejusd. tit. Dat. Cal. Jul. Salustianus by Theodorus Coll. A. D. 505.

And thus we thought fit to give the Reader a view of all the five together, because of the same subject, observing out of the third, that whereas the Primate of the Advocates is named, as also in the last; there was a distinction of Advocates, the Primate being distinguished from the rest. Whereas also in the third Edict mention is made of the time appointed for Advocates to study the Law, it was at first four years, before which expired none were admitted to plead, and afterwards *Justinian* thought fit to enlarge the term to that of five.

45. The Year of our Lord CCCXCXVIII would be as barren of Intelligence as any other, if it were not for a Constitution directed to one *Polycarp* a *Præfælus Prætorio* on the first of April in the Consulship of *John* (a *Scythian* he is elsewhere called) and *Paulinus*. This Emperor *Anastasius* had by a certain Law formerly given right of Succession, in case of the death of a Brother or Sister Germans, to one who had been Emancipated, (by which Emancipation or discharge from the Paternal Power, a man was understood to be discharged as it were of the Family) so as he should succeed such Relations dying Intestate before all other Kindred. Now it was convenient and just that he who had the profit should also have the burthen, and therefore the Emperor now declared, "That such an Emancipated Brother should be called to be a lawful Tutor or Guardian to Brothers and Sisters in their minority, without any excuse of such discharge from the Paternal Power, to be admitted. The ensuing year, or the CCCXCIX. had for Consul one *John* surnamed *Gibbus*, with whom some joyn *Aclepius*, but without any good Authority. *Anastasius* having little of Civil business to attend, was wholly intent upon Church Affairs, and so bent to encourage Hereticks, that as *Baronius* observes from the *Chronicon* of *Marcellinus*, he was this year chastized for so doing by the *Bulgarians*, who invaded and wasted *Thrace*. Against them marched one *Ariflus*, who commanded the Emperor's Forces in *Illyricum*, with fifteen thousand armed Men, and five hundred and twenty Waggon's laden with Instruments necessary for Battel. A fight was fought near the River *Zarta*, where about four thousand of the *Romans* were cut off either in their flight or in falling from the Precipice of a Bank that had no Water running by it. And heretofore of *Illyricum* fell, *Nicogratius*, *Innocentius*, *Tancus* and *Aquilinus*, all *Comites*, being slain. To this loss was added another, caused by a great Earthquake, wherewith the Countrey of *Pontus* was shaken. But *Anastasius* bought off and restrained the incursions of the *Bulgari* with a great sum of Gold.

46. We are now arrived at the year D. which is noted with the joyned Consulship of *Patrius* and *Hypatius*, in which meeting with nothing else of Civil concernment, we search for Laws, and find two in the late Edition of *Justinian's* Code marked with this year, but dated in the Consulship of *John* and *Aclepius*. The day of the date of both is the very first of the year, and that might give occasion to the mistake of placing them amiss. They made up one Constitution, being directed on one and the same day to one and the same person, viz. *Antiochus* the *Præfælus sacri Cubiculi*, and are both concerning the *Silentiarii*, their Privileges and Emoluments. By them he declares, "That those *Silentiarii* of his Palace who served (the word is *Militantes*) at his side (*circa latus*) shall be excused from Tuitions and Curations: That what they get by this service, on *Milizia* shall be enjoyed by them as a *Castrensium Peculium*, so as their Fathers, if alive, and their Heirs shall have no right unto it. That if they sell their places they shall enjoy all relating to the sale in the same manner. That their Sons, if they come to be adorned with the Dignity of *Comes spectabilis* or *Tribune* shall not if unwilling be compelled to be *Prætors*. And these Privileges he added, should be enjoyed not only by those in present service, but by such as should succeed them, and not only during the time of their service, but after they had laid down their places. As for the excusing them from Guardianships, he hints that they cannot attend the Affairs of other men, because through the attendance they give to him, they could not diligently manage the concerns of their own Family. But it's observable that he gives them but the title of *Clarissimi*, though elsewhere they have that of *Spestabiles*, but this variety was incident to many Officers, their Dignity being enlarged or diminished according to the pleasure of the present Emperours, the Fountains of their Honour.

47. For the year DI. *Anienus* and *Pompeius* were Consuls; *Anienus* was surnamed *Fauftus*, had been ordinary Consul above ten years since, and was descended from the most noble Family of the *Scipios*, which *Baronius* observeth to make him some return for his Orthodox and Pious demeanour toward *Symmachus* the Roman Bishop. And on the other side he observeth concerning *Anastasius* the Emperor, that being of the contrary disposition, the people reviled him openly as an Heretic; and that he to

Vide Annalista in l. i.

A. D. 498. Theod. by Paul. Coll.

L. 4. de legitim. tutela, Cod. Just. lib. 5. tit. 32. Dat. Cal. April. A. D. 499. Johanne Gibbo Coll.

A. D. 500. Patrius by Hypatius Coll.

L. ult. de excusationibus tutorum, Cod. Just. lib. 5. tit. 32. Et L. ult. de Silentariis, Cod. Just. lib. 12. tit. 16.

A. D. 501. Antioch by Pompeius Coll.

punish them as well for so doing, as to be revenged on them for favouring the Cause of *Longinus* and the *Isaurians*, this year took that opportunity which while he was alive he dared not to do, and caused them to be fall'n upon, while they beheld the *Spēlacula* in the Theatre unarmed, with such Violence and Execution, that above three thousand were slain, besides such as got away wounded to their Houses. One Constitution besides what we have already mentioned we find of this year (if not rather of the foregoing,) but merely belonging to the *Jas pruvatum*, and not by us here to be mentioned. For that which followed, *Anienus* the younger, Son to him of the former year, was Consul together with *Probus*. This afforded matter which *Baronius* had also reason to mention as a punishment of *Anastasia*.

The Bulgari invading Thrace; are brought off by Anastasius.

48. *Cabades* the present King of *Persia* became in Debt to the King of the *Ephthalites*, and not being able to pay it, he prayed the Emperor *Anastasius* to lend him the money. The Emperor consulting with some about him, they dissuaded him from it, telling him how inconvenient it would be, if he should confirm with his money the Friendship of the Barbarians amongst themselves, and that it were better for his Concerns that they should ever clash with one another. Upon his refusal *Cabades* resolved to invade the *Romans*, and into *Armenia* he brought the first News himself with an Army. Having foraged the Countrey, he sat down though in the Winter before *Amida* a City of *Mesopotamia*, the Inhabitants whereof though they had no Garrison (as having lived before peaceably and quietly,) and wanted all manner of Provisions, yet stood out against the dangers and inconveniences of a Siege. At that time one *James* a *Syrian*, a just and very Religious man, had for many years been a Recluse, at a place distant from *Amida* but one days Journey, that so he might not be interrupted in his godly Contemplations. And those of the Neighbourhood, to be helping to his good intent, had pitched a Pale about him, with spaces wide enough onely to see and confer with such as came to him, with a Roof to keep off from him Rain and Snow. And there he had long continued not yielding to Heats or Colds, feeding on Roots, and not of them every day, but fasting sometimes a good while together. Some *Ephthalites* ranging about the Countrey espied this *James* and offered to shoot at him, but their hands were suddenly benumbed and they could not draw their Bows. *Cabades* hearing the report would himself be an Eye witness of the Miracle, and seeing it, was astonished as also those that were about him. He humbly besought *James* to pardon his men their offence, which he did at the first word, and they were instantly freed of their fears. *Cabades* then bad him demand something, thinking he would have asked some great Sum of money. But he prayed him onely to bestow on him such men as in this War should come to him for Protection. Which *Cabades* granted, and left him Letters for their assurance. And the rumour being spread abroad, many from all parts came and were preserved.

49. But *Cabades* with his Rammes battered *Amida* on every side, and the Inhabitants avoided the strokes of those Engins by cross Beams, in such a manner that the Wall became impregnable, so strong were their Buildings in ancient times. Failing therefore this way, he raised a Mount so high that it commanded the Wall. To this the Defendants drew a Mine from the Town, and by carrying out the Earth, from within the Mount made it hollow, the outside retaining still the form it had, and giving no suspicion of any design to the Enemy. The *Persians* came upon it, thinking as upon firm Ground to shoot into the Town; but company pressing upon it, the Mount sunk, and almost all perished. *Cabades* at this despair'd, and resolved to raise the Siege, commanding the Army the next day to retire. But the Townsmen, as now secure, flouted the Barbarians from the Walls, and some common Women drew up their Clothes, shewing *Cabades* those parts which should not be seen by men. Hereupon the *Magi* forbade his Retreat, assuring him that e'er long the *Amidenfes* would shew him all their secret and hidden things. The Camp continuing in its former posture upon this their suggestion, some days after a *Persian* near one of the Turrets found the mouth of an old Vault, covered onely with a few small Stones, he entered it alone in the Night, and when it was day made the matter known to *Cabades*, who, resolving not to loose the advantage,

Cabades the Persian besieges *Amida*.

L. ult. de Trans. editio, Cod. Just. lib. 2. tit. 4. A. D. 502. Anienus Jun. & Probus Cons.

Be. Persic. lib. 1.

the Night following went with part of his Army and scaling Ladders to the place. The Turret was Guarded by Monks, (the strictest sort of Christians,) who that day observed an Annual Feast, and being wearied in their Solemn Assembly, and having taken a greater proportion of Meat and Drink than usual, they perceived not the Enemy.

50. The *Persians* entered the Town by a few at a time, and ascending the Turret killed the Monks as they lay fast asleep. Then did *Cabades* set scaling Ladders to the Wall adjoining to the Turret, and when day appeared the Besieged who guarded the next Turret, perceiving the danger they were in, hastened to the rescue. And after an hot Conflict they had the better of it, for killing many men that were already got up; they kept off those upon the Ladders, and were very near quit of the Danger. But *Cabades* drawing his Scimiter, forced his men upon the Ladders, threatening Death to the comers down, and thereby overpowering the Defendants by numbers took the Town after eighty days Siege. Great slaughter was made, till *Cabades* riding into the Town, his fury was assuaged by an old Priest of *Amida*, who told him that it was not Royally done to kill men now at his mercy. *Cabades* yet angry, demanded why then they would stand out against him? Because, Sir, replied the Priest, God would give you *Amida*, not by our wills, but your own Valour. *Cabades* pleased with this Reply, suffered no more Execution to be done, but permitted his Souldiers to sack the City and take Prisoners, of which he had the principal to himself. Then leaving in Garrison a thousand *Persians*, under one *Glonas*, and some wretched Citizens to serve them with necessaries; with his Prisoners he Marched home. Yet with the Prisoners he dealt very Princely, for he let them all go home free, and gave out that they ran away. *Anastasius* also dealt kindly with them, remitting to the Countrey their Tribute for seven years, and conferring many Benefits both upon the City and private men; so that they soon forgot the misery they had undergone.

51. But *Anastasius* having the News of the Siege of *Amida*, immediately dispatched away an Army against the Enemy. This Army was chiefly Commanded by *Aereobondus* General of the East, who Married the Daughter of *Olybrius* the late Western Emperor, *Celer* who Commanded the two Palatine Cohorts called by the *Romans* *Magister*, with *Patritius* the *Phrygian* and *Hypatius* the Emperor's Sisters Son, who Commanded the two Legions in *Constantinople*. These were accompanied by *Justin*, who was Emperor after *Anastasius*, by *Patricius* and *Vitalianus* his Son, who afterwards rebelled against *Anastasius* Pharaohmenes of *Colchos* an excellent good Souldier, with *Godisclus* and *Stefas* *Goths*, both Gallant men and expert Souldiers, who followed not *Theodorich* into Italy. Of this Army *Procopius* affirms that so brave one went not against the *Persians* before nor after to his time. The Prefect of Provisions was *Appian* an *Egyptian*, a principal *Patritian* and Valiant, whom the Emperor declared his Partner in the Empire by Codicils, that he might have absolute Authority in the expence of the Army, which Marched not together, but each of the four Commanders led his own Forces. They found the Enemy gone home with his Spoils after the taking of *Amida*, which now they would not Besiege hearing it to be furnished with all Necessaries, but made an Impression into the Enemies Countrey, Marching not in: one Body, but encamping severally. *Cabades* being near and having notice, entred the *Roman* Borders with his whole Army, which being understood by *Aereobondus*, though at first they thought he had with him but some small party, he quitted his Camp and ran to *Constantina* a City distant two days Journey. The Enemy took the Camp and Baggage without any men, and thence with speed went to the Quarters of *Patritius* and *Hypatius*, who having met with eight hundred *Ephthalites*, who were marching before the *Persian* Army, had killed them all; and not dreaming of the Army with *Cabades* were making merry like Conquerours, laying down their Arms and preparing for Dinner. Some washed their Meat in the adjacent Brook, and others troubled with heat were bathing themselves, which made the Water run foul.

The Romans invade Persia.

Some are defeated by Cabades.

52. *Cabades* having heard of the ill fortune of his *Ephthalites*, Marched apace toward the Enemy, and by the thickness of the Water gheist at the matter, and that the *Romans* were unprepared. And commanding to drive on with full speed, he came upon them at Dinner and Unarmed; and being so suddenly surprized, and not able to abide the charge, they ran away without making resistance. Some were overtaken and slain, others fled to a Mountain, and for fear leaped down the Rocks, not one of them escaping. This done, *Cabades* standing in fear of his Enemies the *Flunnes*, who now invaded his Territories, went home with his whole Army,

Army, and had a long War with them upon his Northern Borders. In the mean time the other Roman Forces came, for *Celer* was not before this Defeat come up to the rest; but they did nothing, having no Commander in chief, and the Generals with their Equality of power ever crossing one another in their opinions. *Celer* passed the River *Nymphius*, which ran by *Martyropolis*, and was distant from *Amida* thirty five miles, and having foraged the Country soon departed home. The Emperor sent for *Areobindus* to *Constantinople*, and the rest fate down before *Amida* in Winter, where failing to be Conquerors, they resolved to force the place by Famine. The Besieged did really want provisions, but the Roman Generals knowing it not, and seeing the Souldiers weary of a Winter Siege, imagining also that the *Persian* Army would e'er long return, made haste some way to rile and be gone. The *Persians* also were doubtfull of their condition in these straits, though they concealed their wants, and made shew of plenty, but they desired they would make some handsome Retreat. In conclusion, an Agreement was made, that the *Persians* for ten Centenaries of Gold should surrender the City. The Articles were performed, and the Son of *Glones*, who was slain in an Ambush by the Treachery of a Peasant that betrayed him, receiving the money gave up *Amida*. He was vexed that he could not stay to revenge his Father's Death, but burnt the Church of *St. Simeon* where he Lodged. Other Buildings neither *Cabades* nor *Glones* nor any *Persian* defaced in *Amida*, nor about it.

53. Thus the Romans recovered *Amida* by money, two years after the taking of it. Being got within it, their own negligence appeared, and the abstemiousness of the *Persians*. For it was found by considering the quantity of the Victuals left, and the Barbarians that went out, that not above seven days Provision was remaining; yet *Glones* and his Son had delivered it out to the *Persians* more sparingly than their need could well endure, and to the Romans in the Town nothing at all, so that they were forced to Eat unusual Food and abominable, and at last one another. The Generals finding themselves thus deceived by the Barbarians, reproached the Souldiers for their Intemperance and Disobedience, who having it in their power to take the Town with all the *Persians* in it at mercy, had dishonourably parted with the Roman Treasure to Barbarians, and gotten *Amida* as some Merchandize for money. But afterward the War with the *Hunnes* growing long, the *Persians* made a Truce with the Romans for seven years, which was concluded by *Celer* on the part of the Romans, and by *Aspvedes* on that of the *Persians*. And so ended this War about *Amida*, but something farther happened betwixt the Romans and *Persians* in the Reign of *Anastasius* concerning the *Caspian* Gates, so called; which Gates described, and the matter it self you shall have from the Relation also of *Procopius*.

54. The Mountain *Taurus* passeth first by *Cappadocia*, then *Armenia* and *Perfarmeria*, *Albania* and *Iberia* with other Nations that way, then either free or subject to the *Persians*. Extending thus through many Countries, the farther it goes it grows to a greater height and breadth. But beyond *Iberia* you come to a narrow place, reaching some six Miles, and ending at a steep one unpassable, where for the way out, Nature hath built a kind of Gate, anciently called the *Caspian* Gate or *Straits*; beyond which were then fair Champions well watered, and large Plains for Horse Pasture, where were seated the Nations of the *Hunnes*. These *Hunnes* extended to the lake of *Maotis*, and passing the Straits in their Inroads into the Roman or *Persian* Provinces, came with their Horses fresh and lusty, not fetching a compass about, nor being engaged in ragged places, those five miles into *Iberia* excepted; whereas such as took other passages arrived with much toil, and could not make use of the same Horses, having been forced to many circuits and craggy ways. *Alexander* the Great considering this, built Gates there indeed, and by them a Fort, which through the Hands of many Owners came at length to *Ambasules* a *Hunne*, a friend of the Emperour *Anastasius*. This man now grown old and near his End, offered to *Anastasius* for money to put the Romans in possession both of the Gates and of the Fort.

55. The Emperour, who was not wont to do things unadvisedly, considered that it was not possible to maintain a Garrison in the place wanting all Commodities, and having no Nation near it that was subject to the Romans, and gave the man many thanks for his good will, but would not meddle with the thing. *Ambasules* soon after Died, and *Cabades* forcing out his Sons, possessed himself of the Gates. *Anastasius* also after the Truce with *Cabades* was expired, built a very strong City at a place called *Daras*, distant from *Nisibis* about twelve miles, and from the *Persian* Frontier three miles and an half at most, and named it *Anastasia*. This

Others return having done little.

Amida recovered by money

Dishonourably.

A Truce for seven years,

The *Caspian* Gates.

Possessed by *Cabades*.

This building the *Persian* desired to hinder but could not, having his Hands full of the *Hunnes*; but this War being once over, he expostulated with the Emperour for Building to near his Confines as contrary to the Articles of Peace. *Anastasius* put it off, sometimes threatening, sometimes pretending friendship, but especially by large presents. Another City also he Built upon the frontier of *Perfarmeria*, which before had been a Village, and from *Theodosius* was called *Theodosia*. *Anastasius* compassed it with a strong Wall a little before his Death, which no less than the other troubled the *Persians*, being both as Rampiers upon his Country.

56. For the year of our Lord DIII *Dexecratus* and *Volusianus* were Consuls. In this year was the Defeat given by the *Persian* King to the Roman Commanders lately mentioned. While they managed their matters unsuccessfully abroad, *Anastasius* at Home managed a War against the Orthodox Christians. But he employed his *Questor* in making Edicts in behalf of Emancipations that such as were emancipated by the Relcript of the Prince should enjoy the usual Privileges of Defcent as did other Children, which still continued under paternal power in the Family, contributing their own goods, and should also succeed their Brothers dying intestate. These things he enacted by one Constitution divided now, according to the Contents of it, into three several Laws by the Compilers of *Justinian's* Code. For they have all the same Inscription, and all bear date in *July*, though a little alteration there be in the numbers of the days before the Calends of *August*. Of the following year we have nothing here to observe, but that it is marked with the Consulship of *Cetheus* alone, for which *Baronius* would have *Cetegus* to be read, which was a Roman Name. Of which a famous Senator flourished at this time, to whom are Letters found directed from *Ennodius Ticinensis* or of *Pavia*.

57. The year DV. was signalized by the Consulship of *Theodosius* and *Sabinianus*. The former was surnamed *Manlius*, and being Namesake too is also reported to be descended from that *Theodosius Manlius* or *Mellius* of whom we have so much spoken when Consul, in the Second Volume of this Work. Whereas *Theodorich* who had obtained the Kingdom of *Italy* had long time had for his friend *Anastasius*, at least as some have believed; now they began to be at open Enmity, and its said that this year the Empire was invaded by the *Goths*, under Conduct of one *Muado* by this Designment, and that *Sabinianus* the Consul being sent against him was defeated, and having lost his Army he himself escaped with a few. The year next ensuing had *Misla* Consul at Rome and *Areobindus* at *Constantinople*, and presents us with nothing of civil Concernment though too much of Ecclesiastical, the Emperour concerning himself so far in behalf of Schismatical Persons, that he gave great offence by such his carriage to the People of *Constantinople*. And the year which followed wherein he himself the third time, and *Venantius Decius* were Consuls, we are told things grew to such extremity in the City, that the People fell into a Sedition in the Cirque, where usually meeting to behold the Sports they were always wont to use licentious freedom toward the Emperours.

58. The year of our Saviour DVIII was known by the Consulship of *Venantius Jun. & Celer*. Now were the Differences betwixt *Anastasius* and *Theodorich* King of *Italy* grown into open Enmity. For *Theodorich* endeavoured to get into his hands *Pannonia* which was accounted to belong to the Eastern Empire. And *Anastasius* sent out a Fleet against him, under the Conduct of *Romanus* the Comes *Domesticorum*, and *Dasticus* who Commanded the *Schole*, on board of which were eight thousand Armed men. They proceeded as far as *Tarentum*, which they attacked and wasted the Coasts of *Italy*, and so *Romanus* having exercised Piracy against the Romans, brought home their Plunder to *Anastasius*. He might be encouraged to this undertaking by the Absence of *Theodorich*, who this year Warred against the *Franks* in *Gall*. The year DIX had *Importunus* for Consul, and in the West it's thought, being the same with him whom *Theodorich* advanced to the Degree of *Patritius*, being of the ancient Family of the *Decii*. The year that followed was enabled by the Consulship of *Boetius*, that excellent Person of whom we have much to say in the History of the *Italian* Kingdom. Of these years little else of civil Concernment do we find in the East, only that the *Saracens* subject to the *Persians*, wasted *Arabia* and *Palestine*, while *Anastasius* made great stir at *Constantinople* about Religion, and distressed those of the Orthodox Party which made the people turbulent and seditious. The year DXI is for nothing eminent, except it be for the Consulship of *Felix* and *Secundinus*; which *Felix* was a *Gall* by Nation, and was promoted to this Dignity by *Theodorich* as we may see hereafter.

Anastasius builds Cities to restrain the *Persians*.

He is favourable to Emancipated Children.

Incurs the displeasure of the People.

Enmity betwixt him and *Theodorich* King of *Italy*.

The *Saracens* waste *Arabia* and *Palestine*.

Dexecratus & *Volusianus* Consuls.
L. 18. de Collationib. Cod. Just. lib. 6. tit. 20.
L. 11. de legitimis Heredit. lib. 2. tit. 58.
L. 9. de emancipationib. lib. 8. tit. 49.
Vide Cujacii Observ. lib. 18. c. 18.

Venantius Jun. & Celer Consuls.

59. The year DXI. had for Consuls *Paulus* and *Muscianus*; and nothing is it remarkable for, except a Tumult and Sedition of the Citizens of *Constantinople* against the Emperour upon the account of Religion, and his acting still against the Orthodox Christians. And the same we hear of him in that following which was characterized with the Consulship of *Probus* and *Clementinus*, as the *Chronicon* of *Cassiodorus* hath it, though some call him *Clementianus*. And for the next ensuing, the Authour of that *Chronicon* himself, or *M. Aurelius Cassiodorus Senator*, the great Minister of *Theodorich* attained to this Dignity, of whom much is to be said in the History of that Kingdom of the *Goths*. Here it is only proper to observe that he was Consul alone, having no Colleague out of the East, though in the East the *Roman Empire*, and consequently the Consulship could only properly be found. All the reason that can be given for this is, that the disturbances about Religion were so great at *Constantinople*, that *Anastasius* had other things to do, than to think of conferring this titular Dignity. These stirrings arrived at a great height, that the Orthodox Bishops were expelled from their Sees, and in their places were Hereticks preferred by the Emperour, against whom it is observed by *Baronius*, that God Almighty stirred up *Vitalianus* a *Scythian*, as *Marcellinus* calls him, who gathering together such *Roman* Horde as he could raise in three days time, came as far as the place called *Septimus*, and encamped himself. There disposing of his men from Sea to Sea, he proceeded as far as the Golden Gate of *Constantinople* without any loss, affirming he came to assert the Orthodox Faith, and to succour the Bishops of the City, unjustly banished by the Emperour.

60. Yet by the dissembling and perjuries of *Anastasius*, managed by one *Theodorus* whom the Emperour employed, he was prevailed with to leave the City the eighth day after he came thither; though as *Cedrenus* writes, having seized on all *Thrace*, *Scythia* and *Myfia*, he had following him an Army of *Hunnes* and *Bulgari*, and had taken many Cities together with *Cyril* the Governour of *Thrace*. But *Anastasius* being in a desperate condition begged Peace, and swore that together with the Senate he would restore the Banished Bishops to their Sees, and call a Council. *Marcellinus* relates that *Vitalianus*, departing from *Constantinople*, got by craft unto *Odyssus* a Town of *Thrace* in the night time, and there caught *Cyril*, who was more talker than fighter, sleeping betwixt two Whores, and there killed him; after which he shewed himself an open Enemy to *Anastasius*. But *Euagrius* makes this enmity to have been rather, for that *Vitalianus* affected the Sovereignty. He writes that being a *Thracian*, with such a design he wafted *Thrace* and *Myfia* as far as *Odyssus* and *Anchialus*, and halted to *Constantinople* with a mixed multitude of such Nations as were wont to wander about without any fixed habitations. That the Emperour sent *Hypatius* against him, who was taken Prisoner and ransomed with a great sum of Money. After him *Cyril* undertook the charge, and at first they fought doubtfully, till *Cyril* so bestirred himself that he put the Enemy to flight, and had the better of it; but *Vitalianus* rallying his men, turned back against him, and his Souldiers forsaking him by reason of their ill will to him, he took him in *Odyssus*. After this *Vitalianus* made excursions as far as *Syca*, and wafted all with Fire and Sword, having no other thoughts but to destroy *Constantinople* and to obtain the Empire.

61. Having encamped himself at the place called *Syca*, the Emperour sent against him *Murinus Syrus* with a Fleet, because it seems his strength lay at Sea, and the Navies faced each other, one toward *Syca*, and the other toward *Constantinople*. And at first they onely faced and viewed each other, but at length began to play and give the chase as it were in jest, till it came to a Battle in good earnest, fought near *Bythana*. Herein *Vitalianus* was forced to turn tail, and having lost many men, in great fear and astonishment fled, which example of his they followed, which had fought for him; inso much that the next day not one of them could be found either in the passage, or about the City. The report went that *Vitalianus* himself for some time lay quiet in *Anchialus*. To this Narration *Euagrius* adds that another sort of Barbarians who lived without Houses, passed the Sea, and made an Incurfion to the Pyle or Gates of *Cappadocia*. And at the same time *Rhodes* was now the third time miserably shattered with an Earthquake happening in the night, and was almost destroyed. So briefly doth this Historian write concerning this War betwixt the Emperour and *Vitalianus*, attributing it to the ambition of a Rebel, and not to any Religious concern; for which *Baronius* leaveth him and follows the account given him by *Marcellinus Comes* in his *Chronicon*, who digests the several particulars he relates according to the years wherein they were done.

62. The

62. The year of our Saviour DXV. had *Anthemius* and *Florentius* for Consuls. This year *Vitalianus* (in behalf of the Catholic Faith say they) became more fierce against *Anastasius*. He sent before a Party of Horse, and some Boats by Water, and he himself with his Foot entered a place called *Prædium Sixtense*, where he took up the Palace for his Mansion. Now were sent unto him Senators to make a peace. As a Ransome for *Hypatius* he received ninety pounds of Gold, the Emperour's gifts excepted, besides one thousand and one hundred pounds he had when *Uranus* was taken Prisoner. Being made *Magister Militum* in *Thrace*, he sent back *Hypatius*, whom he had kept in Chains in a Castle called *Acres*, to his Uncle. To these conditions *Baronius* as an Ecclesiastical Historian adds, that an Occumenical Council should be called; of which we are not here to give an account. This year also died *Ariadne* the Emperess, having passed at Court no fewer than sixty years, and them to the great detriment of the Church, as is observed. Moreover this same year was famous for Wars and devastations, for the *Hunnes* roved through *Armenia*, and wafting all *Cappadocia*, proceeded as far as to *Lycania*. The next that followed, which was characterized with the Consulship of one *Peter* without a Colleague, was passed over without any considerable thing but what relates to the Ecclesiastical Historian. Onely *Anastasius* for fear of *Vitalianus* and his Orthodox Army dissembled greatly, and commanded certain Bishops, whom he had formerly banished, to return to their Sees. But when upon his dissimulation *Vitalianus* retired, and he now seemed to be secure; *Baronius* judgeth of him, that as having obtained a glorious Victory, and the Rebel being conquered not by Arms but cunning; the Bishop of *Rome*, being also cheated as to the hope he had of Ecclesiastical concord, the year following he erected as it were a Trophy, and took the Title of Consul; which Title he now bore the fourth time. And to him was given one *Agapitus* a Colleague for the West.

63. He had but a small time to reap the fruits of his conceived Victory, and to pride himself in his triumph, though what time he had, we are told he improved to the advantage of his own and the persecution of the Orthodox Party. This Persecution is said to have proceeded so far, as that it entered into the very Court, where under pretence of a Plot against the Emperour, the throats of many eminent Persons were cut, and *Justin* with *Justinian* his Nephew, both of them famous at home and abroad, were hardly preserved by a terror struck from Heaven into him: For *Zonaras* reports, that when he designed to put them to death, a terrible man appeared to him in a dream, and bade him doe them no harm; for each of them in his time should serve God. *Euagrius* relates how the people of *Constantinople* being tumultuous against him upon the account of Religion, and for banishing their Bishop *Macedonius*, notonely the Nobility came into extreme danger, but many excellent Buildings were burnt, and barbarous murders being committed, the flame of Sedition raged so far, as bringing all things into danger, the Emperour by necessity was driven to commiseration. He put off his Crown and came to the Cirque, sending Criers before him to proclaim to the people, That He was most ready to lay down the Sovereign Power, but all of them could not be placed in that Dignity, which could receive but one who must Reign after him. The People beholding him suddenly chang'd it's opinion as from a Divine admonishment, and intreated *Anastasius* to reassume his Crown, promising upon that condition to be quiet. *Anastasius* after this lived but a very short time, dying when he had governed the Empire twenty seven years, three months, and as many days.

64. But as he lived an impenitent Persecutour, he did not depart this World without terrible notice given of his dismal end, the same Ecclesiastical Writers observe. *Marcellinus* relates that in the Province *Dardania* twenty four Castles were ruined by an Earthquake in one moment. Of these, two sank down with the Inhabitants; of four was destroyed one half, and also of those that lived in them; of eleven the third part of the Buildings were undermined, and also a third part of the people lost; and seven, by being ruined, a fourth part, with a loss of a fourth part of those that inhabited them, struck a great terror into the Neighbourhood. *Scopus* the Metropolis was utterly dejected, though without the destruction of its Citizens who had formerly left it, flying from the Enemy. Many of the Mountains of this Province were by this Earthquake cloven in sunder, Rocks werent, and Trees being torn up by the roots, a great hole was made thereby. In a certain Castle of the Region called *Canisa*, by name *Saronto*, the Veins of the Earth were so burthen, that the Earth vomited abundance of Water. They recount from *Zonaras* another Dream *Anastasius* had after the discharging of *Justin* and *Justinian*, how again he saw a terrible Man in his sleep, who holding a Book in his

E

hand,

Disturbances about Religion.

Vitalianus his attempts and design.

Variously reported.

He is worsted at Sea.

Still active.

Anastasius persecuteth the Orthodox.

Dies.

A grievous Earthquake proceeding his death.

Lib. 3. c. ult.

A. D. 515. Anthemius & Florentius Cons.

A. D. 512. Paulus & Muscianus Cons.

Lib. 3. c. 43.

hand, said, *Look, for the perverseness of thy Faith I blot out fourteen years of thy life.* And to this *Cedrenus* adds, that when heawaked he told his dream to *Amanius* his *Præpositus Cubiculi*; who let him know that he had also dreamt, that flanding by him the Emperour, there came a great Hog and plucking him down by his clothes devoured him. Upon this *Proclus* the Fortune-teller came and declared that both of them in a short time should depart this life.

Which wife re-
told by *Proclus*.

65. But as for this *Proclus* he was not, as appears from *Zonaras*, a mere Fortune teller, but the greatest Mathematician of this and many other Ages. He was famous as well for Philosophy as Mechanick knowledge. He not onely understood all that was known by that famous Artill *Archimedes*, but he himself found out some new things; for by him was invented that Engine which defeated the Fleet of *Vitalianus*. This was made of Looking-glasses, which being hung upon the wall over against the Navy, reflected the Sun beams with such violence upon it, that it burnt both Navy and the Men that were upon it, which yet *Dion* reported *Archimedes* to have invented, when the *Romans* besieged *Syracuse*. But that you may see what intimate friends *Anastasius* had, and what company he kept. *Baronius* farther tells you out of *Suidas* concerning this *Proclus*, that he was a *Lycian*, the Scholar of *Syrianus*, and an Hearer also of *Plutarch* the Philosopher, the Son of *Nestorius*. That being himself a *Platonick* Philosopher he was overseer of a Philosophick School at *Athens*, where *Anastasius* endeavoured to restore the Academy. That his Disciple and Successour was said to be *Marinus* the *Neopolitan*. And afterwards reckoning up his Writings, he adds, that he wrote eighteen arguments against Christians; that this is that *Proclus* who next to *Porphyrus* whetted his impure and contumelious tongue against Christians. But *John* the Philosopher most famously refuted his Propositions, and shewed him to be rude and unskillfull in Greek Learning, for which he had a great name. But at this time (that they may not be confounded) lived also another *Proclus* far different from the other, a man most abstinent, and tenacious of the ancient Decrees, the *Questor* of the Emperour *Justin*.

His favourite,
and yet a Pagan
and one who
wrote against
Christians.

66. It had been, its said, told to *Anastasius* that he should die by Thunder. To avoid this he caused to be made a Building, which *Baronius* justly termeth a mad Work, whereby he hoped to avoid the danger; and *Proclus* the Philosopher and Mathematician he thinks to have been Authour of it, which is probable enough; but let us hear how the end foretold him was brought about. It Thundring and Lightning exceedingly, he was terrified, and went down from one Room into another; and passed from this Chamber into that, but was found dead in his Apartment. Having been told he should die by Fire, he opened a Cistern in the Palace with many windings and turnings, at each of which a Vessel was placed; endeavouring by this means to evade the Oracle, but to no purpose. Such was his end, as it is told by *Zonaras* and *Cedrenus* the later Greek Writers, though *Euagrius* speaks nothing of this manner of it, after he had reigned twenty seven years, three months, and twenty nine days, as lay some; though as others, three days over and above twenty seven years and three months. His memory was very odious upon the account of his favouring Heresie, and persecuting the Orthodox Bishops; so as his name, together with that of his Predecessour *Zeno*, are said to have been struck out of the Sacred Diptychs. As for Civil matters we have seen how he took away the *Chrysargyrum*, though it's said he brought up another as severe an Imposition. *Euagrius* farther Writes, as to the good things of his Reign, and his commendation, that the Barbarians called *Scenites*, that sort of *Saracens* (because they lived in Tents) being grown arrogant, rose up against the *Roman* Empire to their own loss. They overran *Mesopotamia*, both the *Phanicia's* and *Palestine*, but being grievously beaten by the Commanders in the Provinces made a peace with the *Romans* in the name of all their Nation and then were quiet. In reference to these matters, the *Persian* War about *Amida* and other affairs, its pity that the History of *Euthathius* is lost, which is so far commended by *Euagrius*, that he tells his Country-men, that if any of them had a desire to have a perfect account of them, and to get an accurate knowledge, they should read that Writer, who with great Eloquence, vast labour and exquisite Elegancy, brought down his Narration to the twelfth year of the Reign of *Anastasius*, and then died.

Anastasius killed
by Thunder, ac-
cording to the
later Greek
Historians.

His Actions.

67. Whether *Euagrius* had it from him or others, he adds that the *Persian* War being over, he built the place called *Daras* (some said from *Darius* his being there utterly overthrown by *Alexander*) in *Mesopotamia*, being situate in the utmost borders of the *Roman* Empire, and as it were the terminus or boundary by which that and the *Persian* Kingdom were distinguished. From a field he changed it in-

Lib. 3. c. 26. § 6.

to

His Buildings.

The long Wall.

His Character.

Laws of his mak-
ing without
Consul or day.

He forbade un-
lawful Rescripts
to be obeyed.

He forbade Soldi-
ers to be re-
moved from place
to place without
the Emperour's
order.

to a City. First he compassed it with a most strong wall; then he raised various Structures in it, and those very goodly, as Churches and other Houses, Royal *Porticus's*, publick Baths, and such like Works, wherewith famous Cities were wont to be adorned. Farther, this same Emperour was the Authour of a vast structure being as memorable a work as any other, and this was the long Wall raised in a convenient place in *Thrace*. It was distant from *Constantinople* at most two hundred and eighty furlongs. Both Seas, like to some Strait, it fronted for four hundred and twenty furlongs, and made the City almost an Island from a *Peninsula*; and it conveyed those who had a mind to sail from *Pontus* to the *Propontis* and the Sea of *Thrace* with great security. In conclusion, saith he, it repels such Barbarians as make excursions from the *Euxine* Sea, from *Colchis* and the Fenns of *Meotis*, as also such as should invade from the places beyond *Caucasus* and from *Europe*. Thus much doth *Euagrius* write concerning the long Wall, which is to be taken notice of, because that in the course of the *Byzantine* History frequent mention is made of it.

68. As for the general demeanour of *Anastasius*, it's to be feared that the Ecclesiastical Historians are much in the right, though something be to be allowed to interest and passion. Of all other testimonies they may well have most reason to cite what *Suidas* hath written of him, to make good the very evil character they give him. He tells of him that changing for the worse, after some things well performed at the beginning of his Reign, he turned the whole Empire into a kind of Aristocracy. That he sold all Offices of Magistracy, and pardoned Offenders for Money, with an insatiable desire after which he burned. Thence came it to pass that the Military Rolls being exhausted, the Provincials were plagued with things unwonted and Foreign. For he never drove away the Barbarians by force of Arms, but still would redeem Peace with money. Besides this he made enquiry into the Estates of deceased persons, and brought common poverty upon all. To such as he had deprived of their livelihoods, a little after he would be charitable as it were by giving them something back again. Places that he had made void of Inhabitants he would adorn by repairing their structures, especially he was kind to his own native place, which he compassed as it were with three Crowns. Under him the Cities of *Libya* were grievously afflicted by those they called *Larici*, for he set over them *Marinus*, his Nephew by his Daughter, one that was young and of a light disposition; and after him *Basilius* his Son, who exceeding his Predecessour in naughtiness, it happened that the Provincials wished for their former condition again, when they remembered what slaughter and spoils they had undergone: So *Suidas* sets him out. But there remains something more to be said, which will give light to discover the Constitution of the State, if not of the Prince himself. For we have several other Laws extant in the Code which bear his name, though they be without day or Consul, and so cannot be certainly assigned to any particular years; we shall make mention of such of them as relate to the Government and the *jus publicum* of the *Roman* Empire.

69. And the first Law we meet with of this sort without Consul or day, is for removing a grievance in the Government proceeding from the Emperours Orders, often surreptitiously and fraudulently obtained. Complaints being urgent upon this account, by an Edict directed to *Matronianus* a *Præfatus Prætorio*, "he admonished all Judges throughout his Dominions that they should suffer no *Rescript*, no *Præfatus* *Sanction*, no *Sacred Adnotation*, which was against the general Law, or publick utility to be made use of in the canvassing of any cause; in the mean time not doubting but they were strictly to observe the general *Sacred Constitutions*. Now for an understanding of these several terms, *Rescript* was a general one. Of *Rescripts* some were Law and some were not, some were Personal and some were General, some were Temporary and others Perpetual, some were of Force and some not. More particularly a *Præfatus* *Sanction* was solemnly made concerning the judgment of Council at the petition of some other Person. An *Adnotation* was made briefly, the name of the Prince being noted or written to the Petition. That they termed an *Oraculum* was some simple command sub-noted by the *Quæstor* alone, or the *Magistri Scriniarum*. A *Mandatum* was given about a Suggestion or a Petition. But as for general Constitutions made to bind all, as this whereof we now write, they being better and of more weight than simple *Rescripts* were to be obeyed.

L. ult. Si contra
im. Arc. Cod. Just.
lib. 1. tit. 22.

Adnotationis.

70. By another of this sort directed to one *John* who was *Magister Militum* through *Ibrycum*, "He forbade Souldiers to be removed from one place to another. But if it happened that there was some urgent and necessary cause, then he tells

L. 4. de officio
Magistri Militum,
Cod. Just.
lib. 1. tit. 29.

"him the *Prætorian Prefecture*, and his See, (*viz.* of the *Magister Militum*) ought to provide for the public utility and security without delay, and send to the Emperor their suggestions, which should declare as well the places from which the Soldiers should be removed, as those in which they were to quarter, and the names of the most valiant *Numeri*, in which the said Soldiers were lifted; withall, the quantity of their *Annonæ*, and especially the cause why they should be removed, that after such suggestion, he might give such orders as he should judge convenient. This also was remarkable and praise-worthy in *Anastasius*, that he restrained a course which procured great vexation in Law matters, whereby a Suit was sold or made over for consideration to one who otherwise was a stranger to the Action, and this was called *Cessio actionis*: This he forbade, except in certain cases; and *Justinian* afterward coming to consider of it approved of this Constitution first, then regulated the cases wherein *Cession* was permitted, and in conclusion would have it absolutely to take place, only in case it was made for Donation sake, and for the cause of mere liberality, without dissimulation.

He restrained the *Cessio actionis*.

Tam amplissimum Prætorium Præfecturam, quam tuam sedem, &c.

L. 22. Mandati vel contra, Cod. Just. lib. 4. tit. 35.

L. 1. 23. 24. ejusd. tit. Vide Celsi ad lib. 16. c. 16.

71. We have formerly seen how kind *Anastasius* was to Emancipated Sons in giving them right to succeed as other Children, though by being out of the Paternal power, they seemed all out of the family. But as he gave them the profit and advantage, he seemed herein unequal that he did not also impose the usual burthens upon them. And this was it seems to be clamoured, that he found it convenient to satisfy the Subject herein by an Edict directed to the People it self, wherein taking notice of his omission, he decrees that according to the Law of the twelve Tables they should be *Curatores* or Guardians to their Brothers and Sisters that were distracted, as *Legitimi*, or such as were Tutors and *Curatores* as nearest a-kin. For of those persons which governed the persons and estates of Infants and others not able to govern themselves, the Romans had three sorts, either such as Parents assigned by Testament, or such as they called *Legitimi*, who were by the Law of the twelve Tables of course to take this charge as the next a-kin; or *Dativi*, which were given and assigned when the other failed by the Pretor or other Magistrate. The reason of the custom was to protect and assist those who were not able to help themselves; and this inability proceeded not only from Intancy or Minority, but also from madness and distraction, by which disease they were rendered as infirm and helpless, and in a worse condition than the other; because the prevalency of a disease is very dangerous, whereas nature outgrows the disabilities of Infancy or Minority. And because such as were deaf and dumb were also incapacitated thereby to see to their own affairs, as also such as laboured under some perpetual disease, they, and generally all who could not provide for themselves, had *Curatores* assigned them to do it.

He caused Emancipated persons to be *Curatores* as other Sons.

L. 5. de Curatoribus Prætorii vel Prodigii, Cod. Just. lib. 4. tit. 30.

Justin. Instit. lib. 1. tit. 23.

72. But such was the care the Roman State had of its Members, that not only such as could not, but also some that would not, had also *Curatores* assigned them to take care of their Affairs. And that this is the meaning and sense of this Law is also concluded, the Title in the Book being concerning the *Curator* both of a Mad-man and of a Prodigal, and as to Emancipated Brothers the reason was the same. And the Roman Law esteemed a Mad-man and a Spendthrift to be very little different in their intellectuals, both being acted by distempers and those of the Imagination, which produce very suitable effects, though the Prodigal hath not the excuse from vice and sin which may be pleaded for the other. Now he was esteemed a *Prodigus* who neither had any measure nor end of his expences, but tore in pieces and dissipated his Estate. Some indeed are of opinion that nothing expressly was ordered by the Law of the twelve Tables concerning such an one, but that by way of Interpretation it was so taken. But *Justinian* in his Institutions expressly saith it, concerning as well Prodigals as Mad-folks, that although they were elder than twenty five years, yet they were under the Curation of their *Adgnati* (or nearest a-kin who were to succeed them in their Inheritance) and that by the Law of the twelve Tables: But at Rome he adds, the Prefect of the City, or the Pretors, and in the Provinces the Presidents were, after inquiry, wont to assign them *Curatores*.

Vide Vinium em. in Instit.

73. *Paulus* the great Lawyer, in the third Book of his Sentences, hints that it came by custom, that the Prodigal was interdicted the management of his Estate, and some are of opinion that it was the custom at Rome for the *Agnati* to take care of the concerns of a Spendthrift, and that afterward it became inserted amongst the Laws of the twelve Tables. But it is made some question whether a Spendthrift, and one who lives luxuriously, be understood to be interdicted his Estate *ipso jure*, and by the Law of the twelve Tables; or he is first to be inquired into

into and pronounced to be a Spendthrift by the Magistrate. Now he who is such an one indeed as we have described him, is in reality and morally a Prodigal, forasmuch as virtues and vices do not depend on man's knowledge, approbation or censure, but have their own forms and nature. But yet as to what concerns the management of Estates, no man Politically and with effect of Law ought to be accounted a Prodigal, till such management upon hearing the matter be taken from him by Decree of the Magistrate. For the depriving one of the management of his Estate, or an interdiction, is not properly of Law but of Jurisdiction; that is, the Law doth not specially and particularly interdict any one the government of his concerns, nor can interdict him, but it in general commands that all shall be interdicted their Estates by Decree of the Magistrate, who shall be found to be such upon hearing of the cause, and will have such to remain in Curation of their *Agnati*. Now Madness is a distemper which sufficiently discovers it self, and there is no such need that a Distracted person be interdicted his goods by the Magistrate, but that a person is a Prodigal ought to appear by many and various circumstances, of which the Magistrate ought to give judgment; for lightly no man is to be forbidden the management of his own affairs, every one being presumed in a condition to do it till it appear otherwise. Indeed if a man contract with one who is manifestly luxurious, and who he knows will cast away the money he is to receive, he may thank himself for so doing. The Decree of the Magistrate, when he interdicted any such person the management of his Estate, was of this Form, *Forasmuch as thou wastest wickedly thy Fathers and Grandfathers Estate, and bringest thy Children to want, for that cause I interdict thee the meddling with and management thereof.* A course which would do good in our days, wherein there are ways enough to get Estates, and for the circulation of Riches, besides the advantage taken at the madness of Prodigals, who because they will not live upon something, must afterward live upon little or nothing, whether they will or no.

Pauli Sentent. lib. 3. tit. 4.

74. We do not hear from Historians, but though *Anastasius* was not acceptable to the people, especially of Constantinople, upon the account of Religion, yet he well enough pleased his Courtiers and the Nobility. Answerably we find in the view of his Laws, that he chose rather to oblige his great Officers than the *Curie* or Bodies Corporate. For whereas *Zeno* his Predecessor in favour of these Courts obliged such persons as had attained to be *Comites Rei private*, *Comites Largitionum*, *Domesticorum*, *Questores*, or *Magistri Officiorum*, but at the beginning of his Reign were obnoxious to the services of the said Courts, to remain with their Children bound to the said services; "He repealed the Constitution of *Zeno*, as to this point, releasing them by an Edict directed to *Polycarp* the *Præfectus Prætorio* from such obligations, together with their Children born after such administration, and their Estates, although it had happened that they had been subject to and obeyed the said Constitution. Which was to have its effect and force from the day wherein it was promulgated, it being agreeable he saith, that Laws set "Rules to future things, and not sit up reprehensions to what are past. However *Anastasius* might manage his matters by Money rather than Arms, as we are told by some Historians; yet out of desire to be furnished with Weapons, "he forbade the *Fabricenses* or those that belonged to the Forges, to be either Hirsers or Managers of other mens Lands and Estates, under pain to such as employed them "if they knew them to be *Fabricenses* of the loss of the land or thing so hired, "and grievous punishment to the men themselves, with forfeiture of their Estates "and perpetual Exile. And farther, for the Removal of the Arms forged by these " *Fabricenses*, when there was need thereof, he orders *Eusebii* the *Magister Officiorum* to whom he directs this Law, that his *Sublimity*, as he terms him, send "out his Letters to the most eminent Prefectship, to which he must therein declare both the number of the Arms and from what place they are to be removed; "that according to the quantity the Prefect may issue out his Precept to the " *Clarissimi* the Governours of Provinces, on obedience to which *Angaria* (beasts of "burthen or carriages) as also Boats might be prepared. In case of failure the *Numerarius* in present attendance at the Prefect's Office, and others concerned should incur a Fine of fifty pounds of Gold to be paid into the *Fiscus*; and the Governours of Provinces, and also their Apparitions, one of thirty.

L. 64. de Decretis, Cod. Just. lib. 10. tit. 31.

Com. convenit Leges futuris regulas imponere, non præteritis communi excusat.

L. ult. de Fabriciis, Cod. Just. lib. 11. tit. 9.

Was careful as to making and conveying of Arms.

He was kind to dignified Persons.

75. He was farther so civil to dignified Persons, that he permitted both them and such as enjoyed illustrious titles only honorary to return out of the Country to Constantinople without Letters revocatory. He permitted the two *Præpositi Cubiculi*, viz. his own and him belonging to his Empress, though out of Office, if they

L. ult. de Dignitatibus, Cod. Just. lib. 12. tit. 1.

L. ult. de Præpositis, S. Celsus, Cod. Just. lib. 12. tit. 5.

were

were of the Senatorian Rank, when they went into the Countrey to see their Estates, or upon other occasions to wear the Girdle, it satisfying, as he saith, their desire, and being injurious to no other persons. To the *Consistorian Comites* of *L. ult. de Comitibus Spectabilis*, he granted the same Privilege, both as to protection, and acting, as Zeno by his Pragmatick Sanction had granted to the *Clarissimi* the *Principes* of the School of the *Agentes in Rebus*. These three Constitutions were directed to *Eusebius* the *Magister Officiorum*, and possibly for *Eusebius* lately mentioned, *Eusebius* is to be read. To the same *Eusebius* also he published another Edict in favour of such as served in the *Scrinia*; "If the Sons were unfit to succeed their Fathers, such as were subrogated in their places, should pay to the Heirs or children of the deceased, an hundred *solidi*. Besides this he was kind to them as to the Judicature in which their causes should be tried, whether Criminal or Civil, the caution they were to give, and the Fees, in another Edict directed to one *Celer* by the title also of *Magister Officiorum* who was their proper Judge. And with this Edict another seems to have made up one and the same Constitution, being directed to the same Persons, and giving much what the same Privileges granted to the *Agentes in Rebus* and their *Principes*. "He was favourable to the Souldiers in present attendance, or those they called *Milites Prasentales*, as to deciding their Controversies, and paying Fees; and by an Edict directed to one *John*, as *Magister Militum Prasentalium*, he Ordained that such Souldiers should not be convened before the *Magister Militum* through the East, but before the *Magistri Militum Prasentales*, and the *Duces*, though the *Duces* themselves were under the command of the *Magistri Militum* through the East.

76. *Anastafius* being dead, *Justin* a Thracian on the Ninth day of the Month *Panemus*, by the Romans called *July*, and in the five hundred sixty sixth year from the time that the City of *Antioch* was so named (according to the computation of *Euagrius*) was proclaimed Emperor by the *Prætorian* Souldiers. He was of a very mean Original. His first employment was the keeping of Cattel, which having changed for that of a Souldier, he managed himself with that personal valour and conduct, that he arose to the Dignity and Command of a *Tribune*, and afterward we are told to the highest Office of *Præfæctus Prætoris*, thence was he Elected to the greatest of Earthly dignities, but by what method and by what means is not so clear and evident. *Euagrius* delivers it for truth, that his advancement was altogether surprizing and unexpected to himself, there being many and very worthy Persons allied to *Anastafius* still surviving, who were in a very flourishing condition, and seemed to be qualified with such circumstances as were wont to prefer men to the Imperial Diadem. At this time *Amantius*, a man very Potent, was *Præpositus Cubiculi* to the Emperor. He knowing well that no Eunuch could succeed his Master, and consequently that he himself was incapable, endeavoured by all means to advance *Theopritus* his intimate friend, and for this purpose sending for *Justin*, delivered to him a great sum of money to be distributed amongst such as had greatest power in the Election. *Justin* having got the money made his own markets with it, by purchasing the favour of the Guards, which having done and attained his end, he immediately made away *Amantius*, *Theopritus* and some others.

77. Such is the Relation of *Euagrius* with which some other accounts do not at all agree. *Baronius* acquaints us how from the Letters of *Justin*, written to *Flormisda* the Roman Bishop, it appears that he was created Emperor by the Nobility, Senate and Army, much contrary to his mind and inclination. Here we may call to mind how *Anastafius* was terrified in a dream, and diverted from his purpose of killing *Justin* and *Justinian* his Nephew, as was reported, which if true he may seem reserved and appointed by God for this Dignity in an extraordinary manner. By what way or what steps soever he mounted the Throne, he gave the people such satisfaction in his Government as obliterated the memory of his sinister and underhand actings, if such they were, as also the despicableness of his Birth and former condition. This he did chiefly by adhering to the Orthodox Faith, and restoring such as had suffered upon that account in the time of his Predecessour. Having hereby obliged the People so as to secure himself from Popular Tumults and Seditions, it seems he thought not yet his Estate sufficiently settled so long as *Amantius* and the rest continued in being. Therefore did he by one means or other make them away, having a double advantage by so doing. For he both prevented all Tumults and Dangers, which they might have procured him, and thereby it's thought he farther ingratiated himself with the Multitude, which hated them upon the account of Religion as having been the Instruments of *Anastafius*. Some say

Amantius

Amantius and *Andreas* a Gentleman of his Chamber he caused to be beheaded. *Miscieland Ardabres* he banished to *Sardica*, and *Theopritus* the Minion of *Amantius*, on whom he purposed to confer the Empire, he caused to be beaten and stoned, and then cast into the Sea, thereby depriving him as well of Sepulture as of the Sovereignty, after which he had gaped.

78. In the year of our Lord DIXIX *Justin* the Emperor assumed the Consulship, and took to him for Colleague *Eutharick* Sirmaced *Cillica* the Son-in-Law of *Theodorick* King of *Italy*. He was now very much busied with Church matters, endeavouring to undo and rectify what had been done amiss by his Predecessour. And not only did he thus act in things purely Ecclesiastical, for one thing we find which had relation to civil Affairs. *Anastafius* had made a Law in his fourth Consulship, which he bore with *Agapitus*, whereby he gave leave to such as, having no legitimate Children, kept Women in the place of Wives, to hold the Children begotten of such Women as their own true Sons, in their paternal power, and legitimate and to transfer upon them their Estates, either by Will, by Donation or any other ways known to the Laws, if so they pleased. If the Parents died Intestate, such Children should succeed them in their Inheritances, without any question or alteration to arise concerning them and the Kindred (*Agnati* or *Cognati*) or any others, upon any pretence or quirk of Laws or Constitutions. Notwithstanding, whoever should have such Woman in the place of a Wife, the Instruments of Dower being made, the same rule should be observed for his Issue, lest the liberty of acquiring his own Patrimony after a manner by his Children should be taken from him. Moreover Sons and Daughters adopted (properly arrogated) with the Prince his Licence should enjoy the benefit of this most provident Law, as he himself calls it.

79. From this Law *Justin* would have Children begot in Incest, to have no benefit. "And for the time to come he admonished all his Subjects to seek for "Offspring in the way of lawful Matrimony, declaring that unjust and libidinous Conjunctions should find no pardon, as if the Constitution of *Anastafius* had never been, which Priety moved him now to abrogate and leave the former Laws in force, so as no pretence of Adoption, no craft in procuring the Prince his Letters should avail; so far as to forfeitures were to be made for Vice, whereby it should be lawful to serve wantonness, and the Right and Name of a Father which was indeed denied to such Persons should be pretended by the colour of a Law. Afterward *Justinian* approved of this Constitution of his Uncle, for repealing the said Law of *Anastafius*, and prohibiting the Adoption of Natural Children, in that it contained much absurdity, and indiscreetly superinduced them as so many Strangers upon the legitimacy. But such as had already received any benefit from that Act of *Anastafius* he did not design to deprive them of it.

80. The year of our Lord DXX had for Consuls in the East *Vitalianus*, and in the West *Ruficius*. Of *Ruficius* who was created in the West, we hear no farther than that he was so honoured; but *Vitalianus* rendered the year remarkable, not only for his Consulship, but the sad end he came to in the seventh month thereof, wherein he was dispatched in the Palace by seventeen wounds, together with *Clarius* and *Paulus* his Abettors. *Baronius* improves this passage in *Marcellinus*, to shew how he was punished for his patronizing the *Eutychian* Monks against the Legates of the Roman Bishop. But *Euagrius* fetcheth the matter higher, and ascribes his punishment to another sort of guilt. He writes that *Vitalianus* who lived in *Thrace*, and endeavoured to depose *Anastafius*, was sent for by *Justin* into *Constantinople*; for he stood in fear of his power, and of Fortune which is wont to be doubtful and uncertain in War, of the reputation he was in with all men, and the ardent desire he knew him to have after the Empire. And he rightly conjectured, that by no other means he should be able to bring him under but by a shew of friendship; and therefore composing his Countenance to deceit in a wonderful manner, he designed him one of those Officers call'd *Præfentes*, and the more powerfully and effectually to overreach him, promoted him to the honour of the Consulship. Being made Consul, and conversant in the Palace, in a certain Gate behind the Court he was slain by treachery, and so received punishment for the wicked Acts he had so inconsiderately committed against the Roman Empire. Those Acts, doubtless, *Euagrius* means, which he committed against the Government and Person of *Anastafius*. And yet *Baronius* his principles moved him to affirm, that for them he was to be highly commended, if what he did, he did not out of desire to Reign, but out of respect to true Religion. So that, faith he, it plainly was made to appear, that

Things

To the Milites Prasentales.

Justin succeeds Anastafius.

How he secured himself.

L. vii. de Præmissis S. Scriniarum, &c. Cod. Just. lib. 12. tit. 19.

L. 12. ejusd. tit.

L. ult. de Præpositis Agentium in rebus.

L. ult. de Militari, Cod. Just. lib. 12. tit. 36.

L. c. 1. 2. 3.

Vitalianus the Consul killed in the Palace.

A. D. 519. Justinus Actus Eutharici Coss.

L. 6. de Naturalium liberis, &c. Cod. Just. lib. 5. tit. 29.

L. 7. ejusd. tit.

Novel 89. c. 7.

A. D. 520. Vitalianus by Ruficius Coss.

lib. 4. c. 3.

Jornandes de Reg. & temporum successione.

Things rightly done, if they want a right Intention, are not wont to attain to a right end.

81. The year DXXI was remarkable for the Consulship of *Fabius* in the West, *A. D. 521.* and of *Justinian* the Nephew of the Emperour *Justin* in the East, who indeed rendered it remarkable. For surpassing in magnificence all other Consuls of the East, as *Justinian* the Consul his great Shews. *Marcellinus* notes, he exceeded so much in Consular liberality, that he conferred more than hundred and eighty eight *Serfes* of *Soldi* on the People, and upon the *Spettacula*. He exhibited on the Amphitheatre a shew of twenty Lions, and thirty Leopards, besides other Wild Beasts, at one time. He presented also a numerous fight of Horfes adorned with their Riders in the Cirque, though he gratified not the mad multitude in all it desired. Upon this occasion *Baronius* observes, that though the bloody *Spettacula* of the Gladiators were taken away, yet still such Shews were retained in the hunting of Wild Beasts, and fighting with them, inhumane practices, and much more unchristian; the Bodies of Christians being torn in pieces, for which Christ had shed his blood. The following year was rather more famous for its Consuls, such a pair as these Ages seldom produced. These were *Symmachus* named in the East, and *Severinus Boëtius* for the West; of which *Boëtius* this probably was the third Consulship. For two Consulships of *Severinus Boëtius* are mentioned in the foregoing years, and they might be of the same person.

82. About this time *Cabades* the King of *Perfia* was much troubled in his mind, fearing innovation in his House after his decease. For upon his Sons he could not transfer the Succession without some question. His eldest, by name *Casjes*, had the legal claim, but him he could not endure, therein over-ruling both Nature and the ancient Constitutions of that Kingdom. His second Son *Zames* the Laws excluded, because he had lost an Eye, prohibiting a King to be made who had that or any other maim. He chiefly affected *Chofroes*, born of the Sister of *Aspemedes*; but seeing the *Perfians* admire the valour of *Zames* as a good Souldier, and a favourer of Vertue, he feared lest taking Arms against *Chofroes*, they might ruine his Family and his Kingdom. Hereupon he resolved to make a Peace with the *Romans*, by procuring his Son *Chofroes* to be adopted by the Emperour *Justin*; and this he conceived to be the only means to preserve the security of his Empire. To this purpose he dispatched Ambassadors to *Constantinople* with Letters to *Justin*. Therein he told him that He himself knew that the *Romans* had done the *Perfians* wrong, which yet he was resolved not to urge; knowing that in reason those ought to have the victory, who being in the right are yet willingly put to the world to gratify their friends. But for this he must demand a favour; which would bind them two and their Subjects by Alliance, and consequently by good affection, and so for ever settle the blessings of Peace in their possession. This was, that he would adopt his Son *Chofroes*, who was to succeed him in his Kingdom, for his Son.

83. *Justin* was glad of the proposition, and so was *Justinian* his Sisters son and successor designed, urging the speedy dispatch and drawing up of the Adoption after the Roman form. But *Proclus* the Adverser to the Emperour, whom the *Romans*, *Procopius* saith, called *Questor*, a known just man, not to be bribed, nor who hastily passed Edicts, or altered things settled, crossed it. He told the Emperour, that he did not use to meddle with Novelities, which of all things he feared most, knowing that they could not stand with safety. But had been a very daring man, he thought he should have shrunk and trembled at the storm which was to be expected from such an Act. He said he could not perceive but the Consultation was to betray the Empire to the *Perfians* with a fair pretence, who in plain words without disguise or modesty, now prayed them the *Romans* to let them take it from them, covering their gross deceit with simplicity, and their impudent proposal with a pretended desire of quietness. He told the Uncle and Nephew, that they had both need to oppose this design of the Barbarians to the utmost of their power; the one lest he should prove the last Roman Emperour, and the other New General, lest he should block up his own way to the Empire. Some tricks he added, covered with fair pretences, need an Interpreter to the common sort: But this Embassage bluntly at first dash would have this *Chofroes* Heir to the Roman Emperour. He had them consider, that by nature the Estates of Fathers were due to children. All Laws though differing in other things yet in this agreeing both among *Romans* and Barbarians, so that yielding to their first request, the rest they must necessarily grant.

84. The Emperour and his Nephew approved of this Discourse, and consulted what was to be done. In the mean time came other Letters from *Cabades*, desiring *Justin* to send to him men of experience for concluding a Peace, and to signify the form

form that was to be observed in the Adoption. Upon this *Proclus* more earnestly opposed the proposal of the *Perfians*, and urged that they should rather adopt to themselves the Roman Power and Dominion, declaring it to be his opinion, that it was fit they should conclude a Peace as speedily as might be; and withall that some persons of eminence should be sent, who being demanded by *Cabades* in what manner the Adoption should be, should answer, as was fit for a Barbarian; for the Barbarians adopted Sons not by Writings, but by Arming them. Accordingly Ambassadors were sent by *Justin* with promise of some greater men to follow for confirming all toward the Peace, and concerning *Chofroes*; and shortly after were sent *Hypatius* a Patritian, Nephew to the late Emperour *Anastafius* and General of the East, and *Rufinus* Son of *Sylvanus* a principal Patritian, and one well known to *Cabades*. From the *Perfians* came *Seofes* their most powerful man, who had the chief Command over all Armies and Offices, and with him *Mebodes* Master of the Palace; these met upon the Frontiers and treated. And *Chofroes* came down to the *Tigris*, two days journey from *Nisiba*, that the Peace being concluded, he might go to *Constantinople*. Many discourses passed about their differences; amongst others, *Seofes* alleged that *Colchis*, afterward called *Lazica*, anciently belonged to the *Perfians*, and that the *Romans* held it from them unjustly. On the other side, the *Romans* took it very ill that their title to *Lazica* should be questioned; and when they said that the Adoption must be performed in a manner fit for a Barbarian, the *Perfians* thought it unanswerable: So they broke off and went severally home. And *Chofroes* returning to his Father vowed to revenge this affront upon the *Romans*.

85. The Ambassadors afterward accused one another. *Mebodes* accused *Seofes* for mentioning *Lazica* without having received any Instructions from their Master for so doing, purposely to break the Treaty, and for dealing therein first with *Hypatius*, who bearing the King least affection, crossed the conclusion of the Peace and the Adoption. *Seofes* being charged with these and many other things, was called to a Trial before the *Perfian* Senate, who all were displeased at his new Office, and offended at his behaviour. He was a man free from corruption, and very just, but extremely arrogant; which though a vice natural to the great Officers of *Perfia*, yet in him they thought reigned in extremity. Besides what was now mentioned, his Accusers laid to his charge, that not contenting himself with the ancient customs of the *Perfians*, he worshipped new Gods, and that lately he had buried his Wife, the *Perfian* Laws prohibiting the burying of dead Bodies in the Earth. They condemned him to death, and it was executed upon him; for, *Cabades* would not pardon him, though he seemed to grieve as for a friend, professing that he himself was not offended at him, but he must not infringe the Laws. Indeed he owed his life to *Seofes* who contributed most to his living and Reigning. But his Offices it began so it ended with him, none after him having the like general power over all Offices and Armies. *Rufinus* also accused *Hypatius* to the Emperour, who upon it discharged him of his Office. He caused also to be tortured some about him, but finding no truth in the accusation, he did no other harm unto him.

86. *Cabades* then burned with a desire to invade the *Romans*, but found this impediment to his design. The *Iberians* of *Asia*, who were seated by the *Caspian* Gates to the Southward, had next them to the West *Lazica*, and to the East part of *Perfia*. These people were Christians as devout as any, and had always been subject to the King of *Perfia*. These *Cabades* would needs force from their Religion, writing a command to *Gurgenes* their King, to do all things as the *Perfians* did, and not to bury their dead Bodies in the Earth, but to cast them out to the Dogs and Fowles. Hereupon *Gurgenes* revolted to the Emperour *Justin*, and desired assistance from him that he would not leave him to the mercy of the *Perfians*. He willingly granted his request, and sent *Probus* the Sisters Son of *Anastafius* late Emperour, a Patritian, with Money to raise an Army of *Hunnes* for his Assistance. *Probus* returned without doing any thing, and then the Emperour sent *Peter* as General into *Lazica* with some *Hunnes* to aid *Gurgenes*; at which time also *Cabades* sent an Army against him, under the command of *Boes* a *Perfian*, the General of his Forces. *Gurgenes* found the Roman Succours not competent, and himself too weak for the *Perfians*, and thereupon he fled into *Lazica* with his Wife and Children, the chief men of *Iberia* and his Brothers, whereof *Peraninus* was the eldest. In the confines of *Lazica* he staid, and fortified himself in the Fastnesses, which hindered the *Perfians* that pursued him, from doing any thing to purpose. Afterward some *Iberians* came to *Constantinople*, and *Peter* was called home.

The *Lazians* also refusing to help to guard the Province; the Emperor sent an Army commanded by *Irenæus*.

Expeditions of the Romans into the Persian Dominions.

87. Formerly the guard of two Forts at the entrance of *Lazica* from *Iberia* was carefully maintained by the Provincials, though they endured much. For no Corn nor Wine grew near, nor other commodity; nor, for the Fastnesses, could be brought thither, but upon mens backs, and they lived, being used to it, upon *Panicum* or Mill-feed there growing. But the Emperor now took thence those Warders, and put *Roman* Garisons to keep those places, and them at first the *Lazians* supplied with Provisions, though hardly; but after they refused the service, and the *Romans* thereupon abandoning the Forts, the *Persians* seized on them. In the mean time the *Romans*, under conduct of *Sittas* and *Belisarius*, invaded *Persarmenia*, and having foraged much of the Countrey, and taken many Prisoners, retired. They were then but youths, their beards springing, and Lancers of the Guard to *Justinian* the chief General, who soon after held the Empire with his Uncle *Justin*. Another inroad *Sittas* and *Belisarius* made into *Armenia*, and were suddenly met and put to the worst by *Narjes* and *Aratius*, who nor long after revolted to the *Romans*, and served under *Belisarius* in *Italy*. *Licelarius* also a *Thracian* made an Invasion about *Nisibis* with another Army of *Romans*, but they retreated or ran away, none charging them. Thereupon the Emperor discharged *Licelarius*, and gave to *Belisarius* the Command of the Forces in *Daras*, and then was *Procopius* Writer of the History chosen his Counsellor or Assessor. Shortly after, *Justin* died, having before declared *Justinian* his Sisters Son Emperor with him. These things thus falling out betwixt the *Romans* and *Persians* in the time of *Justin*, we thought convenient to relate altogether, and then to continue our survey of the other year remaining of this Emperor's Reign.

The Consulship almost dwindled to nothing.

Justin kind to Advocates.

88. The year of our Lord DXXXIII had *Maximus* Consul alone in the West. A.D. 521. Some wonder it is that we have no certainty of any one named at *Constantinople*; for leisure enough they had there, for any thing we can perceive to have been transacted by them of Civil concernment; but this Dignity began now to dwindle so much, that in a short time it was quite extinct. The year following, being the DXXXIV of our Saviour, had for Consuls *Justin* himself the second time, and *Opilius*, such an one by name as he had formerly been by Trade and profession. *Justin* as he had formerly been kind to the Advocates of the Treasury, in restoring to them their Salary given them at first by *Zeno* and taken away by *Anastasius*, so this year was favourable to the Advocates pleading in the Court of the Prefect of the City, defining their number of Eighty, and confirming to them their Privileges; but withal regulating their time, and restraining their absence; as he forbade the Advocates of the Treasury should be preferred *per saltum*, the person of *Menander* only excepted. What concerned the Advocates was afterwards extended to those that served in the Forum of the Prefect of *Illyricum* by *Justinian*. Besides what concerned Advocates, we find that this year *Justin* Enacted something he found wanting in the matter of Testaments, as he had done three years before. Of what he did we shall give an account altogether.

Grants to blind Persons Power to make Nuncupative Wills.

89. It had formerly been a question, Whether a blind man could make a Testament, because of his imperfection; at length it was resolved he might, because, as *Paulus* saith, he could call Witnesses together, and hear such as would bear him testimony. The Law for the like reason permitted such an one both to adopt and be adopted; much more to manage his own Estate, inasmuch that a Curator was not wont to be assigned a blind man, but he himself might make a Procurator for the management of his business. Now *Justin* thought fit farther to Ordain that a blind man whether so born, or by disease or accident, might make a Testament by Nuncupation; provided there were present a *Tabularius*, and seven Witnesses, which the Law required in other Testaments. The way and method he prescribes is not so proper here to be inserted; but this liberty thus given, *Leo* one of his Successors thought not large enough, but gave to blind persons leave to make Wills secretly as other persons did. By another Edict bearing date of the latter end of *November*, *Justin* was pleased to confirm such Constitutions, as had been made by former Emperours; that the last Wills and Testaments of persons dying in *Constantinople*, should be proved or insinuated only in the Office of the *Magister Censuum*; and there recorded in the publick Monuments. That where the Inheritance exceeded not an hundred Acres, neither the *Magistri* nor their Officers should dare to take any Fees or Reward for the Insinuation of them. He admonished not only the Judges of Tribunals, but the Defensors of Churches also, among whom a most filthy sort of Intimation had crept, that they meddle not

with

“with that which only belonged by Law to the *Magister Censuum*; affirming it “aburd, that Employments should be disturbed by promiscuous Acts, that one “should steal from another, and especially Clerks, to whom he saith it is a shame “to pretend themselves skilfull in the disputes of Courts. The breakers of this “his Sanction, he punishes with a Fine of fifty pounds of Gold. And he adds, that “it is not to be permitted that the last Wills and Testaments of the dying, should “be rendered any-whit invalid by any improper Insinuations, while such as are “improper for that work boldly usurp the practice of it. But what this and other former Constitutions enjoyn concerning the *Magister Censuum* in *Constantinople*, was in the Provinces performed by the Presidents, Magistrates, or Defensors. Afterward in the time of *Leo* it was committed to the *Quæstor*. But it will not be amiss here to acquaint the Reader with the ancient form of Insinuation of Testaments before the Defensors and the *Curie* of Cities.

The form of Insinuations.

90. Such a year and such a day the Defensor and all the Court of that City being present, *Titius* that followed the business, said; I desire of you most worthy (Optime) Defensor, and you the laudable *Curiales* and *Municipes*, that you command the publick Records to be laid open to me, for I have some things in mine hands which I desire may be roborated by the Allegation of those publick Acts. The Defensor then and *Curiales* said, The publick Books are open to thee, proceed according to thine own desire. He then replied, Gaius an illustrious person hath employed me to insinuate his Testament amongst the Municipal Acts as the Custom is. Then said the Defensor, The Mandate we have heard, but we must also hear the Testament which thou sayest thou hast in thine hands, and then it shall be confirmed by publick Acts as thou requirest. After the reading of the Testament, the Defensor and the *Curiales* said, Let this Testament now recited be put amongst the publick Acts. After this said, the Party implied, Most worthy Defensor, I farther desire that the Gests may be publickly delivered to me. The Defensor and Order of the Court answered, Forasmuch as the Testament and Mandate are rightly made, and we have found them confirmed by the hands of honest men subscribing, it is fitting that the Gests when they are subscribed by us, and published by the *Amanuensis*, be delivered to thee as the manner is, and at length be preserved in the publick Acts. In like manner were Donations or Deeds of Gift recorded, in the publick Registers.

How Testaments were opened after the death of Testators.

91. Thus we see Testaments were opened in the life time of the Testators, that they might be registred, and so firm belief might be given to them, if so the Testator pleased. They were again opened publickly after the death of them that made them, that so they might be known to Heirs, (or Executors) Legataries, those that had Trusts, Slaves manumitted, the Treasury to which the twentieth part was due, and others therein concerned. They were opened in the presence of Witnesses or honest Persons, by those that were present within three or five days, and by the absent within the like space of time after their coming to those places. The Witnesses or the greatest part of them that had signed the Testament were there. They having owned their Seals, the thread was broken, the Testament was opened and read, and a Copy of it was permitted to be taken, and then it was closed with a publick Seal, and committed to the *Archives*; that if the Copy were lost, the loss might thence again be supplied. Afterward it was read, the same Persons of repute being present in the Forum or the *Basilica* between the hours of Eight and Four. But to our matter.

92. The year of our Lord, DXXXV. had *Probinus* (some have it *Probus*) and *Philoxenus* for Consuls, it being the Eighth of *Justin* the Emperor; little we have of Civil concernment managed this year by our Emperour; who most employed himself in things relating to Religion. His zeal for the Catholic Faith carried him so far as to take the Churches from the *Arians*, which endangered the breeding of very ill blood between him and *Theodoric* King of *Italy*. For, he being of that persuasion caused the Bishop of *Rome* himself accompanied by *Theodorus*, *Impetratus* and *Agapetus* Senators, and Exconsuls, and another *Agapetus* a Patrician to undertake an Embassy to the Emperour. Their instructions were to obtain a revocation of the Edicts made against those Hereticks, otherwise he threatened to deal as severely with such Orthodox Christians as had their Abode in his Dominions. How *John* the Bishop behaved himself in this Employment, and what his Entertainment was it will be more pertinent to declare upon another occasion, as also that he was at his return cast into prison and so hardly treated that therein he died not long after. But we are told that while he remained at *Constantinople*, he Crowned *Justin*; not but that this ceremony had been formerly performed, but the Emperour would have it again performed out of piety by the Successour of *St. Peter*, whom

Et præcipue Clericis, quibus op-probrium est, si per-ritus se velint dis-cipulationem so-resum.

Vide Notas in h. l.

Vide Notas ad h. l. 2. Quædam admodum Testaments, &c. Cod. Just. lib. 6. tit. 32.

A. D. 525. Probinus & Philoxenus Cons.

Says about Religion betwixt Justin and Theodoric.

whom he was overjoyed to see within his Dominions. So *Baronius* and others deliver the story, who also observe (and in this justice doth not contradict them) that the City of *Antioch* having been prostituted to Hereticks, and become the *Assylum*, first of *Nestorius* and *Nestorians*, afterwards of *Eutychians*, and *Theopaschites*, now received double for her sins, and drank deep of the cup of God's wrath. It belongs not to us to assign such a cause; but for the calamity that *Antioch* underwent at this time, it ought not to escape our observation.

93. About the time that *John* the Bishop of *Rome* was employed in the message before related, a most dreadfull Earthquake happened at *Antioch*, which as *Euagrius* writes, had been ushered in with frequent and grievous fires, and was attended by other great calamities. In the Seventh year of *Justin*, he saith, though *Baronius* from *Marcellinus* refers it to this, in the tenth month, or *Artemisius*, by the *Romans* called *May*, on the nine and twentieth, being Friday, at noon time of the day, (*Marcellinus* saith just at dinner time) fell out such a rattling, quivering and shaking of the Foundations, as in a manner overturned the whole City. After it, came Fire again, which joyning as it were in a league offensive with the other calamities almost made an end of all. For what the Earthquake did not destroy, on that did the Fire prey; and after the raising of most dreadfull flames, consume to ashes. What parts of the City were consumed, how many men perished both by Fire and the fall of Houses, and what mischief happened, so strange that no Style could sufficiently describe them, *John* the Rhetorician (he tells us) set forth with lamentation in his History, which concluding with this fire could not but move the passions of the Reader in an extraordinary manner. And for a conclusion, and which was another calamity to this City, *Euphrasius* the Bishop perished in the ruins, that none might be left to provide necessaries for the City.

94. And yet, as he himself observes, the carefull and loving Providence of God towards Mankind, which is wout before the arrival of a Plague or punishment to provide a remedy; to blunt the sword of wrath with clemency, and when things grow to a desperate point, to set wide open the fountain of mercy, raised up *Euphrasius* Prefect of the East to take care of *Antioch*, so as nothing necessary (afterwards it seems) should be wanting to it. This the Citizens took to well, as reverencing the man for his Zeal and Charity they made choice of him for their Bishop, and he obtained the *Apoptical See* as a reward of his foresaith. Again after two years and five months *Antioch* was shaken with Earthquakes, and then for *Antioch* it was called *Theopolis*, obtaining also more effects of the Emperour's care and vigilancy. Indeed others give Testimony of the Christian compassion shewed by *Justin* upon occasion of the former Earthquake; how he received the news with grief and astonishment, put off his Purple, laid aside his Diadem, clothed himself with Sackcloth and fasted solitary in Ashes many days together; and afterward relieved the distressed *Antiochians* with all necessaries to his great charge and trouble. But it appears farther from *Euagrius* that he had several other objects of his pity and compassion, of this

very fact, these Calamities being frequent in his time. For *Dyrrachium* of old called *Epidamum* was sorely shaken also with a trembling of the Earth. So was *Corinth* in Greece, and *Anazarbus* the principal City of *Cilicia* the lesser, which underwent that calamity now the fourth time: which Cities *Justin* repaired not without the expence of vast sums of money. About the same time *Edeffa*, that most ample and happy City of the *Ostroen* as he calls it, was defaced by the overflowing of the River *Scirtus* which ran by its side, so that many Houses were carried away by the violence of the Waters, and an infinite number of men was drowned. Both *Edeffa* and *Anazarbus* received a new name from *Justin*, being each of them called *Justinopolis*.

95. The DXXXVI year of our Lord was marked with the sole Consulship of *Olybrius*. This year is famous for little transacted by *Justin*, except this he to be taken notice of, that growing toward the end of his own life, he was moved to Enact something in favour of the deceased. By the practices of some Persons he was constrained to declare, "That it was unjust, and a thing strange in those times, to offer injury to the Reliques of the Dead by them who pretending the Party deceased was their Debtor, and to Exact their Debt, hindred his Burial: That for the time to come no such injury might proceed, he now took order, imposing a Fine of fifty pounds of Gold upon one that should be found guilty of such wickedness, or if he was not able to pay it, he should undergo Corporal punishment at the award of a competent Judge. This humanity towards the Dead, his Nephew afterwards extended to the Dying, Ordaining that if any going to the house of a dying person should molest him or others belonging to him, or not observing legal proceeding should mark or seal any of his Goods, such an one should lose his

Action

Action after the Parties death, the Executors or Heirs of the deceased should recover as much of him; he should forfeit the third part of his Estate, and be noted with infamy. The same punishment should he incur who should hinder the Funeral. Nay he decreed that before Nine days, to be reckoned from the death of the deceased, no molestation should be offered to any belonging to his person, otherwise such Action should be invalid and ineffectual, after those days of mourning, no damage yet hereby coming to the Creditour by reason of the stay of the Nine days.

96. The DXXXVII of our Saviour had *Mavortius* for Consul without a Colleague. This year was famous for *Justin* his taking *Justinian* to be his Partner in the Empire. This *Justinian* was the Son of *Sabarius* (by the *Illyrians* called *Illoks*) and of *Biglenka* the Sister of *Justin*, which Woman the *Romans*, by reason of the likeness of the found, termed *Vigilantia*. By his Country-men the *Illyrians* he was called *Uprando*, or *Right Justice*, to expreis the signification of his Latin name. He was born at *Taurisum*, and educated at *Bederina* the native place of *Justin*. Towns situate in the Borders of *Illyricum* near to *Thrace*, upon which account by later Writers he is called a *Thracian*, it being ordinary when Cities are so placed to be reckoned by several Authors as members of both Provinces, especially it being observable, that the Partitions of Provinces are not the same in all Geographers and Historians. Hereupon *Justinian* himself in his ninth Novel, placeth *Justiniana prima*, and *Bederina*, in *Pannonia Secunda*: When a Youth, he was sent an Hostage to *Ravenna* to *Theodoric* King of the *Goths* by *Justin* his Uncle then General of the Army. He began to learn the Military Art at the beginning of his Uncle's Reign, who about this time adopted him, and gave him the title of *Nobilissimus*. *Vitalianus* being slain in the Palace, in the place called *Delphicum*; by his Faction it's said, and some say by his procurement, he was made Captain General of the *Roman* Legions in his room. Now when *Justin* had reigned eight years, nine months and three days, as *Euagrius* punctually observes, he began to Reign with him, and he received the Title on the first day of the month *Xanthicus*, or of *April*.

97. But what the Title was doth not so clearly appear, whether that of *Augustus* or of *Cæsar* only, betwixt which there was a vast difference, as may be seen by what we have said in the preceding Volume. Some Writers say he created him *Cæsar*, and some that this day he designed him his Successor in the Empire, which words rather make out to us that he was *Cæsar* not *Augustus*, or the complete Colleague of the Emperour, though Writers generally speak of his making him his Partner, which might be in such sense as we have formerly related; though *Cæsar* as such was a Subject, and we have heard how as a Subject, and even as an Apparitor or servant, *Diocletian* made one of them run by his Chariot. As Policies and Governments with time decay and alter, the *Cæsar* possibly at this time might be in greater Authority than formerly. But let us from Historians betake us to our Law Books, without which, lame Histories must be written both of this and other times. And so it happens that after this his Promotion we find a Constitution still extant in his Code, bearing the name both of him and his Uncle: The Contents of it we may declare afterward. It was first restored out of the *Basilica* by *Cujacius*, and as now it is placed in the Code being translated into Latin, the Publishers of the Book have prefixed this Inscription *Imp. Justinus & Justinianus A.A.* and not without reason. For though from the Greek it self no such thing appears, as either that *Justinian* was now *Augustus* or indeed joynted with his Uncle in the making of the Edict, yet from another Novel Constitution he made upon this Subject it is evident that he was joynted with him. The matter was this.

98. Because much inconvenience happened in the Provinces through the impudence of Persons who pretended to have secret Instructions or Mandates from the Emperour, a Law had been made in the time of *Gratian*, *Valentinian* and *Theodosius*, which forbid that any credit should be given to any such pretended Instructions or Mandates, except exhibited in Writing, and the Prince his Letters appeared, be the Messengers of what dignity they would, whether making a shew of the dignity of *Tribune*, *Notary* or *Comes*. After this another Constitution was made, or that which *Cujacius* restored out of the *Basilica*, and repeats in a manner the same thing, lest Judges should mention in their Sentences that the Emperour had commanded by word of mouth, that such an one should be brought into Judgment, or some Sentence be given, which should be divers from what was wont to be. For the Mandates of Princes so far bind, as they are reduced into Writings or Letters; but this Constitution excepts when the Emperour Assigns an Assessor or Assistant to a Judge.

Novel. 115. c. 5.

Uide Notes in Procopii Secretan Historiam;

L. 2. de Mandatis Principum, Cod. Just. lib. 1. tit. 15.

L. 1. §. 2. de Mandatis Principum, Cod. Just. lib. 1. tit. 15.

Ad B. An. & Sep.

Euagrius lib. 4. c. 5. 6.

Kal. 7. Augusti. ad Augustum 28. 29.

In what Sense.

A. D. 526. Olybrius Cons.

L. ult. de Sepulchris violatis, Cod. Just. lib. 9. tit. 19.

Novel. Just. 60. c. 1.

Judge, or commands a Sentence to be rightly given. In such cases they might mention that they had such mandate from the Prince his mouth, or else from the most glorious *Quæstor* of his Palace, or some of the *Speſabiles*, the *Referendarij*, and obedience was to be given to such Mandates without writing. Now in a Novel Constitution made some thirteen years after, *Justinian* expressly makes mention of a Law as well of his Father of pious memory, as of his own Tranquillity; (such was the phrase used at this time,) which disposed that Judges should by no means write in their Sentences, as if it had been commanded them by word of mouth from the Emperor and not written, to bring forth certain Persons into Judgment, and to the same purpose as before. Now though the Names of *Cæsars*, as we have seen, were added to those of the Emperours in the Inscriptions of Laws, yet it was with the Distinction of *Cæsars*, and such as had not Sovereign Authority but not legislative power, though to grace and honour them this was done. But *Justinian* makes this Law as much his as his (adoptive) Father *Justin's*. And to confirm this our opinion that he was made *Augustus* and not *Cæsar*; *Baronius* Ad h. A. hath exhibited the Image of a Coin, to be seen in his Annals, wherein are both the Emperours expressed in shape, both adorned with Diadems, with an Inscription of three *Augusti*, by which he saith its certain that *Justin*, *Justinian* and *Theodora* his Empress are designed. If so, some late Writers though very learned ought to have been more accurate than to say he was created *Cæsar*, betwixt which Title and that of *Augustus* there was so great a difference.

99. But the Title though he had with the usual Concomitants and Effects, how he came by it is not fully agreed. The pretended secret History of *Procopius* makes him to have affected the Empire, to have Exercised a Tyranny, covering violence with a shew of doing business. Affirms that they saluted him King or Emperour together with his Uncle, if it was legally done; for the Senate by fear and threats were drawn into that Suffrage. Another writes that *Justin* the Emperour made *Justinian* his *Cæsar* Nephew, at the supplication of the Senate, he being unwilling to do it. But others say that all the Senate approved of the thing, and *Zonaras* tells this story how it was performed. The chief of the Senate desiring the Emperour that he would take *Justinian* for his Colleague, he took hold of the Purple and told them they had reason to desire that no younger Person should have that come on his Back; and at that time he rejected their Petition. However, after some little time they decreed the Title of *Nobilissimus* to *Justinian*, and obtained of the Emperour a confirmation of their Decree by his Letters. Not long after, the Emperour falling ill of a wound in his thigh, and being in danger called *Epiphanius* the Patriarch and the chief of the Nobility to him, declared *Justinian* his Nephew Emperour, and set the Diadem on his Head with his own Hands. The People being assembled in the Cirque, *Justinian* made his Entry with the Diadem, and was received with lucky acclamations by all, and returned to the Palace being at that time forty five years old. Presently after his Wife *Theodora* was declared Empress, and not long it was before *Justin* died when he had Reigned Nine years and twenty days. Thus much *Zonaras*, who might be mistaken as to the time of making him *Nobilissimus*. To this *Cedrenus* adds that as soon as he was made Emperour, he gave away all his private Estate to the Churches of the Holy Apostles and of the Holy Martyrs *Sergius* and *Bacchus* whom he much revered.

100. *Justin* having promoted thus his Nephew, whether to the good liking of himself and the Senate or not, died of an old wound he had received in Battle by the shot of an Arrow, (in his Foot say some, or as others in his thigh) four months after, about the first of *August*, having Reigned nine years, one month, and three days; and lived seventy seven. A mark of extraordinary Fortune, which wrought so wonderfully, that from a Keeper of Cattel, he should rise to be a Commander of men, first of Souldiers, then of the Pretorian Guards, and at last of all men within the Roman World, having escaped two Imprisonments. Yet was he *Analphabeticus* as the Greeks termed him, or one who could not read, or knew no Letters, which had not happened to the Romans before in the opinion of the Authour of the secret History ascribed to *Procopius*. Whereas the Emperour, he saith, was wont when he ordained any thing to add to the Paper the Letters of his Name, he could neither ordain, nor was able to do business, but *Proclus* who executed the Office of *Quæstor*, and was his Assessor governed as he pleased. But that there might remain some shew of the Emperour's Hand, he that waited or the chief Secretary (who from that thing formed to the shape of a little Dog, wherein the Ink was contained had the Title of a *Canicule*) found out a way. They engraved in

He was made
Augustus.

Novel. 124. c. 4.

Vide Notas ad
Procopii Arcana
Mysteriorum
by Baronius ad
h. A.
Fest. Consulatum
a Justin by A.
p. 101. Justinus
Augustus Justinianum
reperit suum, ad
senatorem supplicationem invitans
Cæsarem facit.
Videtur Tamen
his in Chron. p. 37.
Edit. Juge. Sic
dit 1600.

in a polished piece of wood the form of four Latin Letters, which being laid on a Paper, a pen dipped in the purple Ink with which Emperours were wont to write, was put into *Justin's* Hand, which those about holding stirred it about and drew the pen through those cliffs of the wood or forms of Letters, and so carried away their Writings signed.

101. This Invention by engraving onely four Letters in the Table or piece of wood, did not onely provide for the Convenience of *Justin*, but retained the ancient custome of the Romans, who, as *Alamannus* observes from *Plutarch*, were not wont to write their *Prenomina* out in length, but either one single Letter of it, as *N. T. L.* or two as *C. N.* or three as *Sex. Ser.* *Justinian* afterward, as he gathers from *Caerippus* the Poet, used the single Letter *J.* to denote his Name; but these customs were a little after intermitted, when the Eastern Emperours put down their whole Names to Writings and Instruments, but Women in certain secret knots and foldings of the Letters, as appears by their ancient *Diplomata*, and otherwise, which our men at this day imitate upon their Coaches. Concerning the *Eucastum* or purple Ink made of the Fish *Murex* we have formerly spoken. The Person who attended at it, and from the shape of the Standish wherein it was kept, had the Title of a *Caniculo* was usually of the King's blood, and his Dignity and Authority were very great. To return to *Justin*, who is said to have been very ignorant and blockish, his Marriage if possible was lower than his first condition. The Name of his Wife was *Lupulina* or *Lupilia*; derived it seems from *Lupa*, by which the vilest Strumpet was wont to be called. This she brought not with her to Court, for her Husband and the People of *Constantinople* when she came to be Empress changed it for that of *Euphemia*. As she was Barbarous she is said to have been very ignorant and un-*Vide Alamannum in Notis* polished; but having taken the Name of the Martyr *Euphemia*, she built a magnificent Church at *Constantinople*, and dedicated it to her, wherein she placed her own Statue.

102. We find *Justin* by this time dead; but yet have not done with him, for there being some Laws of his making extant without day or Consul, they cannot properly be placed in any one year of his Reign, and therefore are to be spoken of in gross when his Reign is out; we mean such of them as illustrate the *jus publicum*, and shew the manner of Administration in his time. He was a Souldier, and though otherwise said to be dull and heavy, yet might sufficiently understand what were Clogs and Incumbrances of the Military profession. Yet did not he find out one certain particular of these mischiefs which was too prevalent in his time, till the common observation presented it to his view, as should seem by the remedy he preferred, which is not directed to any one private man, but to the Senate it self. In a certain Law or Oration thus directed, he takes notice of it as manifest, that his Predecessours had enacted many things concerning Souldiers, who undertook to manage Estates under the Title of Hiring; but so little were they regarded, that such Souldiers forgetfull of the punishment threatened, dared to undertake such fordid Employments, and neglecting their care for the Publick, and their Victorious Standards, hasted to turn Tenants to other men, and converted the sharpness of their Weapons not against their Enemies, but to misuse their Neighbours, and perhaps the miserable Husbandmen they had undertaken to manage. Wherefore he was constrained to betake himself to the making of another Constitution, more deeply and fully to remove the Cause. He Commands therefore all that bear Arms, or Souldiers both of greater and lesser Rank for the time to come, to abstain from all hiring of other mens Estates. And by Souldiers he saith he means as well those who served under the High *Magistri Militum*, as them who were inrolled in the eleven most denote *Schole*, as also such as under divers Options were graced with the Name of Confederates. Such shall know, that upon such Contract they shall *ipso facto*, without any sentence given, forfeit their Military Employment, without possibility of being restored to their former Degree, either by the Emperours Indulgence, or by consent or permission of the Judge, under whom they undertook to discharge the Duty; that so by such new undertaking they may not loose their esteem, being from Souldiers rendered *Pagani*, and infamous from men of repute; and that after such turning Tenants, which he absolutely forbids, what they had received from the Publick they be compelled to restore without all delay. In conclusion, such as let their Estates out to Souldiers, should be deprived of all help to recover them into their own Hands again. There are other Laws bearing his Name without Day or Consul, which relating to Marriage are to be considered of diligently in the place proper to the Character and Marriage of *Justinian* his Nephew and Successor.

CHAPTER II.

Containing the long and active Reign of Justinian the Great.

The Space of Eight and thirty years, three months and thirteen days.

SECTION I.

Containing his Wars especially.

JUSTINIAN was advanced to the Imperial Dignity, being as some write forty five years old, in the second year of *Athalarick* King of *Italy*, the second of *Felix* the Fourth, the *Roman* Bishop, fifty years after the Destruction of the Empire in the West, and the fall of *Augustulus*, the DXXXVII of the ordinary *Æra* of Christ, in the sole Consulship of *Mavortius*.

2. Having vast designs in his Head, he took at his first Establishment a right course to attain unto them. He began with the Service of his Maker, by directing his Subjects into the right way to know and serve him, by suppressing such as would lead them out of the way into the by-paths of Heresie, and by several Acts of Charity and Royal Bounty, as our Ecclesiastical Writers observe, though they had no real kindness for him. His vast designs were of all sorts which a Prince is capable of cherishing, extending both to the security and embellishment of the Empire he received from his Ancestours, and to the enlargement of it by recovering what had been lost by his Predecessours. The former part he performed both by his Sword and his Pen, by opposing its Enemies and modelling the Laws; and the latter by a vigorous asserting of his Right, for so he esteemed it, to the members which lately had been Provinces; and though they were now become Barbarous Kingdoms, yet he thought the Pretenders to them could not plead such Prescription, as to invalidate his ancient Title, if his Arms could but procure him a reentry. How all these things he discharged, with other matters, is to be shewn in due method and place. And first, e'er his Uncle was well cold in his Grave, and he himself warm in his Seat, he found himself concerned to curb the Insolence of his Neighbours, for such he esteemed the *Persians*, but grudged to vouchsafe the Title to such Barbarians as had set up for themselves in the *Roman* Soil. The times requiring that much now should be said of the Transactions of the *Persians* with the *Romans*, it may be very convenient to fetch their matters higher, to give an account of the Succession of their Kings, and of such actions as either have been omitted, or only touched at in the Relation of *Roman* Affairs. For the Dignity of this Kingdom requires that it should here also have a place by it self, if we were furnished, besides the Succession of Kings, with any considerable bulk of History relating merely to it self, and not as conjoin'd and interwoven with the occurrences of the *Roman* Empire. Forasmuch as since the Conquest of *Alexander the Great*, and the fall of their Empire with *Darius*, their Affairs have been scatteringly related, we shall now take the opportunity to present the Reader with a view of them. But first, it will be requisite to give an account of the Dominion of the *Parthians*, who not long after the death of *Alexander* became their Masters; and because the Kingdom of *Persians* and *Parthians* may by those that heed not well be confounded together, a clear distinction is necessary to be made of them.

3. It must be observed that the *Persians* being cast down from the grandeur of Empire and Sovereignty by *Alexander* and his *Macedonians*, were first subject to his Successours, and then for a long time Slaves to the *Parthians*. The *Parthians* were a Banished Company of *Scythians*; for in the *Scythian* Language, the very word is said to signify so much; and during the Empire of the *Assyrians* and *Medes*, they were but an abject People, becoming a Prey to the Conquerour. They served the *Macedonians* in the like sort, as long as they desired they should; but when

Vide Ommium de Imperio Romæ no. p. 257.

after *Alexander's* death his Empire came to be divided, none of his Captains would accept of them, and so they were delivered as Booty to *Satragenes* a Stranger Asiatic. But the Captains falling into Civil Wars, they together with the rest of the Nations of the upper *Asia*, followed *Eumenes*, and he being overcome, went over to *Antigonus*, after whom they came into the Hands of *Seleucus Nicator*, and afterwards of *Antiochus* and his Successours; from whose great Grandson *Seleucus* they first revolted, at what time the first *Punic* War depended. *C. Attilius Regulus* and *L. Manlius Vulso* both, the second time, being Consuls; in the year of Rome DIII. The Discord of the two Brothers about the Kingdom, viz. of *Seleucus* and *Antiochus*, gave them the advantage and opportunity who mutually striving to dispossess each other, regarded not this People which by falling off, diminished what they strove about.

4. The Author and Procurer of the Revolt was one *Arfaces*, a man as of uncertain Original, so of manifest Valour, who being accustomed to live by violence and robbing, and believing that *Seleucus* was overthrown in *Asia*, without fear of the King's power, with a Number of Robbers entred *Parthia*, and killing *Andragoras* the Governour made himself Master of the Nation. Not long after he seized upon the Kingdom of the *Hyrcanians*, and entred into League and Society with *Theodorus* King of a thousand *Bactrian* Cities, after which he gave Battel to *Seleucus*, odorous King of his fellow Revolters; overthrew him and put him to flight. This Day was afterward observed as Solemn, and the beginning of their liberty. *Seleucus* being gone into *Asia*, he then formed his new *Parthian* Kingdom. He raised men, fortified Castles, secured the Cities, and Built a great one called *Clara* on the Mountain *Thabrotenus*. By these means Establishing his designed Kingdom, *Arfaces* became no less famous and memorable to the *Parthians* than was *Cyrus* to the *Persians*, *Alexander* to the *Macedonians* or *Romulus* to the *Romans*; and moreover lived to be an old man. After his Death, out of reverence to his memory, the *Parthians* called all their Kings by his Name, as the *Romans* named their Emperours *Cæsars* and *Augusti*. His Son and Successour, *Arfaces* also by Name, with wonderful valour ingaged *Antiochus* the Son of *Seleucus*, though followed by an hundred thousand Foot, and twenty thousand Horse, and at last was admitted into his Friendship and Alliance. The Third was *Pampacius* who had also the same name of *Arfaces*, and dying in the twelfth year of his Reign left two Sons *Pharnaces* and *Mithridates*. *Pharnaces* the Elder succeeding his Father, subdued the Nation of the *Mardi*, and left his Brother *Mithridates* his Successour by his Testament, who Conquered the *Medi* and *Elymi*, and to many other people, as to extend the Dominion of the *Parthians* from Mount *Caucasus* to the River *Euphrates*.

Formerly the
Parthian King-
dom.

His Successours
called after his
Name.

Arfaces.

Pampacius.

Pharnaces,
Mithridates.

Pharabates.

Artabanus.

Mithridates.

Order destroy-
ed *Craffus*.

Pharabates 2.

5. After him came *Pharabates* his Son, the Sixth King of the *Parthians*, who first of all desired friendship of the *Romans* from *L. Sulla* then *Proconsul*, who in *Asia* then carried on the War against *Mithridates* King of *Pontus*. He was killed in a War against the *Scythians*, and was succeeded by his Uncle *Artabanus*, as was *Artabanus* by his Son *Mithridates*. He from the greatness of his preferment, obtained to be called *Mithridates* the Great; for he waged many Wars with his Neighbours, and brought under the *Parthian* Yoke several Nations, and fighting sometimes profreely against the *Scythians*, revenged the Injuries done to his Ancestours. He proudly against the *Armenians*, but was for his cruelty driven from the Kingdom by the *Parthian* Senate, and was succeeded by his Brother *Orodes*. He waged War with the *Romans*, and destroyed *Craffus* with his Son and almost the whole *Roman* Army. *Pacorus* his Son being sent to dispatch the *Roman* War did great things in *Syria*, but was suspected and called back by his Father, and in his absence all the *Parthian* Army was Cut off in *Syria* by *C. Cassius* the *Questor* of *Craffus*, with all its Captains. During the *Roman* Civil Wars, the *Parthians* sent aid to *Pompey* against *Cæsar*, as also to *Brutus* and *Cassius*, against *Othavius* and *Antonius*. The Wars being over under the Conduct of *Pacorus* and *Labiens* who had been on *Pompey's* side, they invaded and seized on all *Syria*. But *P. Ventidius Bassus* the *Roman* General gave them Battel, and killing *Pacorus* and *Labiens* destroyed almost the whole Army, neither in any War did the *Parthians* receive a greater blow; and it is observed that *Pacorus* the Son of *Orodes* was slain on the same day that *Craffus* was destroyed, whose Death they accounted thereby revenged. Not long after *Orodes* was most wickedly Murdered by his Son *Pharabates*, who seized on the Kingdom.

6. Against *Pharabates* *M. Antonius* the *Triumvir* made War with sixteen most valiant Legions, because of the Aides that had been sent against *Cæsar* and himself. The Issue of it was that being tired out with many Battels, with Famine, Pestilence and Tempests, he fled from *Parthia* with his Army much lessened. With this suc-

Seç. 1. cels Phrabartes was made more Insolent, and thereupon doing many cruel things, he was driven by the Parthians into Banishment, and his Kingdom was delivered to one Tyridates, whom yet by the assistance of the Scythians, he drove away and recovered his Station. But he scarcely thought himself secure in it, when he heard how Augustus, after his dispatching of the War of Spain, talkt of making another upon him. It put him into such a fright, that he cauled the Captains which had been of Crassus or Antonius his Army, to be gathered out of all Parthia, and with the Military Ensigns to be sent back to Augustus. Moreover he delivered over to him his Sons and Nephews for Hostages. So that Augustus with the mere terror of his Name did more than another Prince could have effected by his Arms. But Phrabartes being Dead, his Son of the same Name, and the twelfth King of the Parthians succeeded him. And after him followed Orades.

Orades 2. **Vonones.** 7. Orades was slain; and then came Messengers or Ambassadors from Parthia to Rome, to desire that Vonones the Eldest of the Sons of Phrabartes might Reign amongst them, whom his Father had formerly delivered an Hostage to Augustus. He was sent by Tiberius accordingly, but shortly after was driven out and had Artabanus for his Successour. Vonones retired into Armenia which then had no King, and Artabanus ran the same risque of Fortune, being laid at by his Subjects, and having War with the Romans, he was through the endeavour of Vitellius the Legatus of Syria, driven from his Kingdom by Tyridates one of the bloud Royal of the Arsacidae. Tyridates then became the sixteenth King of the Parthians, but not long so continued, for he was driven out by Artabanus, whom the Hyrcanians and Caramanians assisted, and fled to the Romans into Syria. Artabanus having recovered the Kingdom, had again like to have been betrayed by the Treachery of one Simnaces, whom having slain, the third time he recovered his Condition, and at length being thus tossed by various Accidents, was with his Wife and Son killed by his Brother Gotbarzes, who became the Eighteenth King. To make good the Custome, Gotbarzes was expelled by his Brother Bardanes, whom yet having slain he recovered his Estate, and overthrew in Battel Meherdates, whom Claudius the Emperour had sent to seize on the Parthian Kingdom, and taking him alive onely cut off his Ears. He being Dead, Vonones who governed Media became the twentieth King of the Parthians. Of him there is nothing observable, but that he was Father to Vologeses, who became most famous in the Roman Annals.

Vologeses. 8. He waged a long and difficult War with the Romans, wherein he was not onely sometimes an Equal, but a Superiour also. In the time of Nero, he took from them Armenia, and put under the Jugum two Roman Legions to their great Infamy. Having done extraordinary things he died an old man, and left his Son Vologeses his Successour; whose Actions are as obscure as his were remarkable. After him Chosroes was King of the Parthians, upon whom the Emperour Trajan falling, took from him first Armenia, and then Mesopotamia and Assyria, and him he drove away, so that the Parthians were for some time without a King. When they were about to revolt, Trajan gave them for King Parthenaspates. Him Chosroes expelled, and recovered the Kingdom of his Ancestours. After him Vologeses long held it, with whom Marcus and L. Verus had many Wars, and took from him Assyria and Armenia which had been left by Hadrian. After him Artabanus was the last of the Arsacidae that held the Empire of the Parthians, who waged War with various success against Severus, Antoninus Caracalla and Macrinus the Roman Emperours. At length when Alexander Severus Governed the Roman Empire, he was overthrown in three Battels by one Artaxerxes a Persian, who not onely put a period to his Life, but to the Kingdom and Empire of the Parthians in the CCCLXXIII year from the first Arfaces; by which means the Parthians, to whom the Persians all this while had been Slaves, were again subjected in Servitude to that People in the CMLXXVIII year of Rome; of our Lord CCXXVI.

Artaxerxes 9. Artaxerxes is said as Arfaces formerly to have been of obscure Original, but a man of great Spirit and valour. That he might restore the Persians to their ancient Name and Repute, he solicited the several Nations of them to revolt, and when Artabanus came to chastise the Rebellion, overthrew him thrice in Battel, killed him, and moreover restored the Empire of the East to the Persians. Elevated by his Success, he fell upon the Neighbour Nations, to bring them also under the Yoke, and having cauled all that had formerly served the Parthians to submit, he would not keep himself within the Boundary of Tigris, but passing the River, and the Roman Limit, overran Mesopotamia, threatened Syria and laid claim to that Countrey lying opposite to Europe, the Aegean Sea and Strait of Propontis, and known by the Name of Asia (the Lets,) as having been governed by the Persian

Seç. 1. sian Satrapæ from the time of Cyrus to Darius the last King in that Succession. For he boasted that it was his Duty to recover all the ancient Empire to the Persians. Having procured a great Name by his Arms, he died after he had Reigned fourteen years wanting two Months, and left a peaceable Kingdom to his Son Sapor. This is that Sapor, the most cruel of all others, who brought so much disgrace and prejudice to the Roman Empire and Name, who defeating them in a great and bloody Battel, took from them Mesopotamia, and Valerian their Emperour alive, as the Reader may remember. Agathias relates, how having wasted Mesopotamia, he fell upon the Cilicians, Syrians and Cappadocians, whom he overthrew with so great slaughter, that he filled up with dead Bodies the Holes and distances of Mountains, thereby made the Hills even, and so Rode over them as on plain ground. But returning home, he was humbled by Odenathus of Palmyrena, and died when he had Reigned one and thirty years.

Ormisd. 10. After Sapor succeeded Ormisdas his Son, who held the Kingdom not long, dying without having any thing performed worthy of memory, after a year and ten days. The next to him was Vararanes, who having Reigned three years, gave place to his Son of the same name. Vararanes the Second Reigned sixteen years, after whom succeeded Vararanes the Third, but onely tasted of Sovereignty, which he enjoyed but four months. He was named Seganesma, as Agathias judges, from the Nation of the Segani which his Father had Conquered. For when the Persians conquered a People they onely put to death the principal Persons, and reserved the rest to Till the Ground and pay them Tribute; but as a Trophy or mark of Conquest they would have their Sons take the name of the place, as Seganesma King of the Segani. But he being quickly gone, Narses succeeded for seven years and nine months, who left his Son Misdates his Successour, so truly his Successour, that he not onely Reigned over the same Nation but exactly the same time, seven years and nine months. After him Reigned Sapor the Ninth King of the Persians, whose Reign and Life was of the same extent; for his Mother having newly conceived him, upon prediction that it was a Male, they put the Cidariz upon her belly. He lived and reigned together seventy years, and this is he in whose days Julian invaded Persia, and in his twenty fourth year was Nisibis delivered up by Jovian into his hands. He left his Kingdom to his Brother Artaxerxes who died after four years, and had for Successour his Son Sapor the Third who Reigned five. In the next place came Vararanes the Son of Sapor, who, as Agathias Writes, doubled his Fathers years, and added one more to them. He was named Germalas, from a certain Nation called Cerma which had been subdued. In like manner our Authour tells us, as the Romans gave the Additions of Africanus and Germanicus from the Conquest of those Countries.

Ildigertes. 11. After him Ildigertes his Son was King of the Persians, and of great Name amongst the Romans. This is he whom Arcadius at his death is said to have made Guardian to his Son Theodosius. So it was delivered by Tradition Agathias confesseth, and to his time the report went both amongst the Learned and Ignorant persons. But he affirms it was not to be found in any Writings; not in the Histories of those who wrote of Arcadius his death, onely in the Book of Procopius the Rhetorician. He expresseth himself hard of belief, and wonders that Procopius not telling how he came to the knowledge of the matter, should fall into commendation of Arcadius for his Prudence. Whereas the man being a Barbarian, an enemy to the Provinces, and of Manners, and opinion quite different from those of the Romans, the event was onely to be admired. And if Ildigertes kept faith with Theodosius, who was but now a sucking Infant, and discharged his Trust, he was more to be commended for his Goodness than Arcadius was for his Wisdom, whom Procopius makes to have been onely wife in this particular. However Agathias confesseth that Ildigertes, though he Reigned one and twenty years, yet never undertook any War against the Romans, neither ever molested them with any injury, but was peaceable and kind to them; whether it happened so by chance, or that he spared the Boy, and was for preserving both Nations. His Son and Successour Vararanes invaded the Roman Territories with a great Army, but did no hurt, being overcome with the Civility of Anatolius the Emperours Ambassadour.

Vararanes 5. The Persian being come near the Army, Anatolius leaped from his Horse, and alone and on Foot went toward him, who demanded of the Company what he was; they said it was the Roman General; at which the King amazed as at an excessive Honour, turned his Horse and rode away, and after him followed his Army. Being in his Countrey he entertained the Ambassadour with much Courtessie, and yielded to the terms of Peace he desired. That neither People should erect any Fortification

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Vararanes 6.

Perceus.

Homer Ephthalites: who.

Perceus overthrown by them.

Defeated by a Strategem and Slain.

Cabades his Son made King.

And deposed.

Blasles Succeeded.

tion near the Borders of the other; which if done they gave either side opportunity of doing what they pleased.

12. When *Vararanes* had Reigned twenty years, he left his Kingdom to his Son *Vararanes* the Sixth, who after seventeen years and four months gave way to *Perceus*. This *Perceus* was Valiant and Warlike, but with more Courage than Discretion made War against the *Ephthalites*, as *Procopius*, or *Nephtalites* as *Agathias* calls them, about their Boundaries. They were a Nation of *Hunnes*, known by the Name of *White Hunnes*, not mingled with the rest, as having no part of their Country bordering upon them. Their dwelling was to the North of *Persia*, being no *Nomades* or wanderers as the other *Hunnes*, but seated in a good Land, where was a City called *Gorga*, and it seems it so contented them, that they made no Inroads into the *Roman Territories*, but with the *Persian Armies*. As these *Hunnes* had white Bodies and Visages not uncomely, their course of Life was not, as that of the rest, brutish. They were under one King in a lawful Government, and dealt justly amongst themselves and with their Neighbours, no less than the *Romans* or any other People. Their rich men had each twenty or more Companions, to be their perpetual Comrades, and to partake in a community of their Goods. When any of the Principals died, the Retainers were wont to be put into the same Graves with them. Those *Ephthalites* *Perceus* invaded; when *Eusebius* the Ambassador of the Emperor *Zeno* was with him. They pretended fear and to flee before him, and thereby drawing him into a place beset with Mountains and Thickets, from which there was no passage forward, they stopped his Retreat and forced him to submit to hard Conditions. Their King upbraiding him for his Rashness, said he would grant him and his Men their Lives, if he would adore him, being now his Lord, and swear his Country Oath, that the *Persians* should no more invade the *Ephthalites*. *Perceus* consulting the *Magi*, they answered that for the Oath he might do what he pleased; but in the thing he might delude the Enemy by a Trick. They having a Custom every morning to adore the Rising Sun, he should observe the hour, and meet the King of the *Ephthalites* with his Face to the Sun rising, and so adore, and hereby avoid the disgrace. *Perceus* accordingly swore the Peace, adored his Enemy, and then went home with his Army.

13. But not long after, neglecting his Oath he relolved to be revenged on the *Ephthalites*, and with all his own men and Confederates went against them; of his thirty Sons taking all along with him except *Cabades* the youngest, but then grown a man. They hearing of his design, reviled their King for loosing the former opportunity, and required he should go and meet the Enemy. He refused to do it, the *Persians* being yet in their own Country; but, within his own Borders upon a Plain, through which they were to enter, he digged in a great space of ground a deep Pit extreme broad, leaving in the middle a narrow passage for ten Horse a breast; over the Pit he laid Reeds, and upon the Reeds Turf which concealed the Hole, directing his people when they should flee from the Enemy, to keep close and few in Rank upon the firm ground, and avoid the Pit. Then on his Palace he hung out his *Holas* or Gods by whom *Perceus* swore, and breaking his Oath invaded now the *Hunnes*. He stirred not so long as the Enemy was within his own Country, but understanding by his Scouts that they were come to *Gorga*, on the Borders and marching toward him, he himself with most of his Army staid short of the Pit, sending out a Party to shew themselves upon the plain at a good distance; and no sooner seen by the Enemy but to retreat again, remembering the Pit. They did so, and the *Persians* pursued upon full speed as in an open plain, and so fell into the Pit, not only the foremost, but the Rere also; for pursuing furiously, they perceived not the mischief of those of the Front, but falling down upon them with Horfes and Lances, killed them, and were destroyed for Company. Amongst whom was *Perceus* and all his Sons. Such as escaped the Pit, fell into the Enemies Hands.

14. Upon this dreadful Disaster, the *Persians* made a Law, Not to follow the chace in full speed, though the Enemy should run away in that haste. And to put themselves into order, they made King, *Cabades*, the only Son of *Perceus* surviving. Two years they served the *Ephthalites*, and paid them Tribute, till *Cabades* being confirmed in his Seat refused it. Hereafterwards governed tyrannically, made many alterations, and particularly one Law, that the *Persians* should have their Women in common, which the People disliked, and taking Arms deposed him and kept him in Prison. They chose *Blasles* (*Agathias* calls him *Falens*) the Brother of *Perceus* for King, all his other Sons being dead. For of a private Race the *Persians* might not chuse one, if the blood Royal was not quite extinct. *Blasles* succeeding assembled

assembled the chief men of *Persia*, and propounded in Council concerning *Cabades*, S. Ct. 1. whom the Multitude would not endure to be put to Death. Many opinions being spoken, *Gusanafades* a principal man and by Office a *Chanaranges* or General upon the Borders of the *Ephthalites*, shewed them his Knife, such as the *Persians* were wont to pair their Nails with, of a finger length, and an inch thick. See, said he, this Knife is a very short one, yet can it doe that now, which within a while twenty thousand men will not be able: intimating that if they did not now dispatch *Cabades* he would get abroad and trouble them again. But they thought not fit to kill one of the Blood Royal, but rather to keep him in the Tower of *Oblivion*; where if a man was imprisoned, it was not lawful to mention him, once to name him was death, and thence the Tower had its Name. Though at one time the law of it was broken, in the Person of *Arfaces* King of *Armenia* therein a Prisoner, as *Procopius* tells the story out of the *Armenian Histories*.

Cabades escapes out of Prison.

15. *Cabades*, being in Prison, contented that his Wife should yield to the Lust of the Captain of the Castle, that she might have free access to him, which advantage he so improved as that changing Clothes with her, he got out of Prison, and being received by one *Seofes*, who had prepared Horfes for him, escaped away into the Country of the *Ephthalites*. There he Married the King's Daughter, and brought an Army against the *Persians*, who finding themselves too weak, fled from the *Hunnes*. Coming where *Gusanafades* was Governour, he said that such *Persian* as that day first came to offer his Service he would make *Chanaranges*; and he repented of what he had said, when he remembered the *Persian Law*, that no Government should be conferred upon Strangers in Bloud, but such only were to have the place to whose race it did belong. But by chance his word was kept without Injury to the Law, *Adergudnabades* appearing first, a young man, Cousin to *Gusanafades*, and very expert in Marshal Affairs. He first saluted *Cabades* as his Lord, adored him as King, and besought him to Command him as his Slave. So he entered the Palace, and finding *Blasles* without a Guard, put out his Eyes, as the *Persians* were wont to deal with Malefactors, pouring into them boiling Oil, or with a Bodkin red hot, melting an Ointment into the inside of them, and he ever after kept him in Prison. After two years he put *Gusanafades* to Death, and made *Adergudnabades* General. *Seofes* he created *Adrasia-daras Salenes*, or Superintendent over all Offices and Armies, an Office first held by him in *Persia*. None before nor ever after had it. *Cabades* established himself and secured his Empire, being witty and valiant, no man more. His restitution happened in or about the 31 year of our Lord. This is that *Cabades* who two years after Quarrelled with *Anastafius*, because he would not lend him money, wherewith to pay a Debt due it seems to his Father-in-Law. And this is he, who also fell out with *Justin* the Emperor, because he refused to adopt his Son after the *Roman* manner. It concerned the Reader that he should have this Account, concerning the Succession both of the *Parthian* and *Persian* Kings. Else this History would have been deficient, and he could not have well distinguished concerning *Parthians* and *Persians*, the greatness of which Kingdoms, and that great part they acted in the World, would have required a Chapter or Section by themselves, if we could have had Intelligence sufficient of their matters, which were transacted amongst themselves.

Puts out the Eyes of Blasles, and recovers the Kingdom.

16. To omit then what we have already written of such Actions as fell out betwixt *Cabades* and those two Princes, *Justinian* being sole Emperor, directed *Belisarius* to build a Fort at *Mindon* upon the Confines, on the left hand of the way to *Nisibis*, who having advanced it to a considerable height, the *Persians* with threats commanded him to desist. The Emperor perceiving he should be too weak for them, Commanded *Cutzes* and *Buzes* the Dukes of the Limits of *Phoenicia* *Tibani*, one of the fifteen Provinces subject to the Prefect of the *Eafr*, to march to his Assistance with another Army. These Officers were *Thracians* and Brothers, and being young and rash were worsted, lost many of their men, and they themselves at length being taken Prisoners were shut up in a Cave, and no Forts defending the Building, the *Persians* demolished it. After this *Justinian* made *Belisarius* General of the *Eafr*, Commanding him to make an Inroad into *Persia*, and joyn with him *Hermogenes* Captain of his Guard, sometime *Quæstor* to *Vitalianus* when he rebelled against *Anastafius*. He also nominated *Rufinus* his Ambassador, in case a Treaty, of which there were made some Overtures, should proceed. *Belisarius* having jevied a good Army came to *Daras*, and *Perceus*, by Office a *Mirranes*, with an Army of *Persians* advanced within two miles of it. *Belisarius* and *Hermogenes* wrote to him, advising him to forbear Hostilities and expect the coming of

Belisarius made General of the Eafr.

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of *Rufinus*, but he answered he could not trust them being *Romans* though upon Oath, and bad *Belisarius* make ready a Bath for him; for he intended the next day to bathe in *Daras*. The *Romans* had drawn a Line before the Town, and were ranged in such Order as amazed the *Perfians*, who though they faced them forbore to fight, onely some flight Skirmishes had passed, and two *Perfians* who challenged any *Romans* to single Combats were killed, the one after the other, by one *Andrew* the Master of a Wrestling School in *Constantinople*. *Belisarius* desired a suspension of Arms, because the *Perfian* Army was increased by a supply of ten thousand men. But what moved him to desire a Cessation, moved also the *Mirranes* to deny it. Thereupon both prepared for a Battle.

17. The Battle they began with shoures of Arrows, which darkned the Air, and did great Execution on both sides. The *Perfians* herein had the Advantage that their Numbers were greater, and their fresh men still let lie upon the *Romans*, who at first did not consider it. Yet a strong Wind blew upon them, which suffered not their shot to doe much more mischief than they received. When their Arrows were spent, they came to their Lances, and the left Wing of the *Romans* was much distressed, till relieved by three hundred *Hercul*, who being placed on purpose on an adjoining Hillock, fell in upon the Rere of the Enemy, which being charged also by another Party on the Flank, gave ground, and at length ran away, about three thousand men being lost in their Right Wing. But their left together with their *Immortal Band* charged their Opposites with such Violence, that they put them to the rout. But then from the Angle of the right hand line, which the *Roman* Generals had caused to be drawn, a party ordered by *Belisarius* fell with fury on the Flank of the Barbarians as they pursued, and cut their Army in two. The *Perfians* who gave the chase foremost perceiving their Disadvantage, faced about and fell upon their pursuers, whereby they came to be charged both ways by the *Romans*, they that had fled before them now turning head. When the *Immortal Band* and the other *Perfians* near them saw the great Ensign lying upon the ground, acted by Indignation they charged the *Romans* a-fresh, who received them so warmly, that they soon had enough, and fled away in Confusion. The Foot surprized with terrour and amazement, cast away their Bucklers and were cut in peices. The *Romans* killed about five thousand, yet the chase lasted not long, their Generals causing them to retreat, lest the Enemy should rally and worst them thus pursuing without order. They thought it enough to have got the Victory in this manner, for before that day it had been long since the *Perfians* were defeated by the *Romans*, so they parted for this time, neither would the *Perfians* come to any more Battels. There onely followed some Skirmishes upon Inroads, wherein the *Romans* had not the worst.

The *Perfians* defeated,

18. Such was the Success *Cabades* found in *Mesopotamia*, who had sent another Army into the *Roman Armenia*. This consisted of *Perfarmentians* and *Sunites* who bordered upon the *Alans*, and three thousand *Sabirian Hunnes*, a very Warlike Nation, Commanded by *Mermeroes* a *Perfian*. Intelligence being given where they lay to *Dorotheus* the Commander in *Armenia*, and *Sittas* General of the Forces, they fell on a sudden upon them, and killing many, rised their Camp. Not long after their Return, *Mermeroes* to be even with them, invaded the *Roman* Territories, and overpowering his Enemies in Numbers had destroyed them in their Camp, but that *Sittas* placed with a Reserve behind an Hill, came upon his Rere in good time, and the *Perfians* by reason of the Dust, not being able to discover how many men he had, and fearing they might be more numerous than they were, left the Camp, and retiring into a Body were defeated and fled. But because they exceeded the *Romans* in number, they rallied, and coming to dint of Sword the Fight was very sharp, till *Florentius* a *Thracian*, and Captain of a Troop of Horse, with the loss of his Life seized the *Perfian* Standard and cast it to the ground. The Barbarians loosing fight of their chief Ensign fell into fear and disorder, and retiring to their Camp the next day marched home. And none pursued them, the *Romans* thinking they had done enough, having first beaten them in their own Countrey, and now sent them home worsted by a smaller number, without having any thing performed. Afterwards they took in some Towns in *Perfarmentia* with two Forts called *Bolus* and *Pharangium*, whence the King had a Revenue of Gold Mines. *Sittas* before this War had also subdued the *Tzanians*, who Inhabiting the Inaccessible Mountains covered with perpetual Snow, had lived by picking and stealing, but now by him civilized were enrolled in the *Roman* Troops, marched with their Armies and turned *Christians*. About the same time *Narfes* and *Aratius*, who had formerly fought against *Belisarius* and *Sittas*, revolted to the *Romans*, and were entertained

And Retreat with loss.

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entertained by *Narfes* the Emperours *Quæstor* who was also a *Perfarmentian*. This their younger Brother *Isaac* hearing, held secret Intelligence with the *Romans*, and delivered into their Hands the Fort *Bolus*, which was not far distant from *Theodosiopolis*, letting in the Souldiers by a Postern. And so he also came to *Constantinople*.

19. But the *Perfians* who lay about *Daras*, though defeated by *Belisarius*, yet kept together about these Parts, till *Rufinus* the Ambassador coming to *Cabades*, solicited him about a Peace as most conducive to the flourishing Estate of both Nations. *Cabades* laid the load upon the *Romans*, urging that the rearing of the several Forts of *Daras*, *Mindon* and the rest, were quite contrary to the Articles of the Agreement concluded with *Anastasius* the Emperour, and he alleged that the *Romans* ought to contribute half of the expence toward the keeping of the *Caspian* Gates, through which the Neighbouring Nations were wont to forage both Countries. He dismissed the Ambassador with publick Answer, that he was resolved not to lay down Arms till the *Romans* either joyned in the Guard of the Gates, or dismantled *Daras*, yet privately he intimated to him that for a Sum of money he would be content to lay aside all Quarrels, wherewith *Rufinus* acquainted the Emperour at his return to *Constantinople*. Thither soon after came *Hermogenes*, and so together with the Winter ended the fourth year of the Reign of *Justinian*. The Occurrences of these years being thus interwoven by the Authour, so as not to be distinguished, we are constrained to give the Narration of them unbroken, as it lies before us, and must now prosecute what remains till the conclusion of this present War.

The *Perfians* and *Saracens* invade the *Roman* Territories a new way.

20. In the beginning then of the following Spring, seventeen thousand *Perfian* Horse under the Command of *Asarethes* their Countreyman invaded the *Roman* Territories, and with them *Alamundarus* King of the *Saracens*, followed by great numbers of his Subjects, not as they were wont by the way of *Mesopotamia*, but by *Comagena* at that time called *Euphratesia*. This way they took by the Advice of *Alamundarus*, who was now become chief Councillor to *Cabades*; for *Perozes* the *Mirranes* having lost most of his Army was in disgrace, the King having taken from him the Head-Tire of Gold and Pearl which tied up his hair, a mark of the greatest honour in *Persia*, next to the King, where none might wear Ring, Belt, Buckle or any thing of Gold, but by the King's exprels Licence. To truit *Alamundarus* he had good reason, both in respect of his Abilities being a very wife man, and an experienced Souldier, as also because his Enmity to the *Romans* was remarkable, he having for the space of fifty years, much indamaged them by foraging their Countrey, from *Egypt* to *Mesopotamia*, burning, killing and making an innumerable company of Slaves, being indeed the most circumpect and dangerous Enemy the Empire had. His great advantage was his having Command of the *Saracens*, under the *Perfian* Dominion, with the Title and Authority of King, whereby he could make his Invasions when, where and as he pleased. Neither the *Duces* of the Limits, nor the *Phylarches* or Princes of the *Saracen Tribes*, in League with the *Romans* were able to oppose him. *Justinian* put many of these Tribes under *Arcthas* Chieftain of the *Saracens* in *Arabia*, to whom he gave the Title of King, though this was a thing not usual with the Emperours, and it profited nothing, either through the ill fortune or treachery of *Arcthas*. For, *Alamundarus* continued to make Inroads and Depredations as far into the East as ever, so long till he was become very old. He told *Cabades* that if he invaded the *Roman* Dominions as formerly, by the way of *Mesopotamia* and *Ofoene*, he could have no sure bargain of it. That the Countrey about *Euphrates* and *Syria*, next it, had neither any fortified City, nor considerable Forces, but he should find *Antioch* the chief City of the East with no Souldiers to secure it, and the Inhabitants onely intent upon Feasts and Past-times. He urged that he might easily take it by surprize, and return home securely before the Forces in *Mesopotamia* could have the News. For Water and Provisions he should take no care, for he himself would lead the Army the most convenient and securest way.

21. These *Perfians* being the first that ever made an Invasion this way, much surprized the *Romans* and perplexed *Belisarius*. Notwithstanding he having left convenient Garrisons in *Mesopotamia*, halted with two thousand men to give them a stop, which they understanding, resolved not to hazard themselves, and fairly retreated. *Belisarius* overtook them as they were trussing up their Baggage on *Easter* Eve, but had no mind at all to engage, and finding his men eager to fight, by a speech he endeavoured to shew them how improper a thing it would be to set upon a flying Enemy, and provoke him by necessity and desperation to doe that which

The Roman Army willfull to fight is defeated.

23. *Jufinian* feeling he had work enough made him by the *Perfians*, bethought himfelf of fome Affiftance; and for that purpofe refolved to try if he could draw the *Homerites* and *Æthiopians* to join with him againft them. The *Homerites* inhabited to the Eaft of *Paleftine* upon the *Red-Sea*, which taking its beginning from *India* according to the Hydrography of *Procopius*, terminated in that part of the *Roman Empire*, having upon the Coaft, where it ends in a narrow Strait, the City *Ælas* was the Mountains of *Ægypt* to the South, and toward the North a defart Country reaching far. Oppofite to the *Homerites* on the other fhore, inhabited the *Æthiopians* called *Auxumita* from the City *Auxomis* their King's Residence. The Sea betwixt them (by fome called the *Red Sea*, as the reft towards *Ælas* the *Arabian Gulf*.) was five days and nights Sail over with a reasonable gale, there being no danger by Night from any Shelves or Rocks in the paffage. The Haven of the *Homerites* whence they Sailed into *Æthiopia* was called *Bontica*, and they Landed at an Haven of the *Adultes*, diftant from the City *Adultis* only two miles and an half, and from *Auxomis* twelve days Journey: The Veffels of *India* and others, which in thofe days Sailed thefe Seas, were not built like other Ships, neither trimmed with Pitch or fuch like fluff, nor were the Planks faftened with Iron, but tied together with Cords. Not becaufe of Iron-drawing Rocks as was then vulgarly thought, the *Roman Ships* on the fame Sea finding no fuch matter though built with Iron; but becaufe neither *Indians* nor *Æthiopians* had Iron, nor other materials

The Roman Army willfull to fight is defeated.

25. Each of them dismissed the Ambassador with fair promises, but never performed them. The *Ethiopians* were not able to buy the Silk, because the *Persian* Merchants being the next Borderers, came first to the Havens where the *Indians* unladed, and bought up all. The *Homerites* thought it too much to travel through a Desert many days Journey, to fight with a more Warlike People than themselves; and *Abram* afterward often promised and once began the Journey, but returned home again. About the same time *Hermogenes*, being sent on an Embassy to *Cabades*, had as bad or worse success, not being able to procure a peace, the King was so enraged after the Battel of *Euphrates*. *Belisarius* was sent for home to make War upon the *Vandals*, and *Sittas* was ordered to take care of the East. The *Persians* with a fresh Army Commanded by *Chananarzes*, *Apfendes* and *Mermeroes* entered *Mesopotamia*, and there being none to resist them, late down before *Martyropolis* in the Province of *Sophanene*, thirty miles to the North of *Amida*, and situated upon the River *Nymphius*, which bounded the *Roman* and *Persian* Dominions. They were valiantly received by the Defendants, though the Town was not at all fortified for a Siege, and wanted all sorts of Provisions. *Sittas* was then abroad with a *Roman* Army, but durst not come within twelve miles, being accompanied by *Hermogenes*, who was now sent on another Embassy.

26. In the mean time one of the *Perſian* Spies, diſcovers to *Julſinian* much of their affairs, and that a Nation of *Maſſagettes* was coming into *Perſia*, and thence were to invade the *Romans* with an Army of that Kingdom. The Emperour having had experience of the Man's truth, perſwaded him for a reward, to go and report to the Army lying before *Martyropolis*, that theſe *Maſſagettes* were hired by the Emperour, and were intently to come and raiſe the Siege, upon which ſtory they were fore afraid and doubtful what to do, when in the mean time a matter of great concernment fell out, which expedited their Buſineſs. *Cabades* the *Perſian* King died, after he had Reigned thirty years from his Impriſonment, and on his Death-bed by advice of *Mebedes* his chief Favorite, ordained *Chſroes* his Son his Succeſſour by Teſtament. The Will being kept cloſe, *Caſpes* the Eldeſt preſuming upon the Law aſſumed the Title, but *Mebedes* checked him for ſo doing, alledging that none of himſelf might take the Kingdom, but by the Votes of the principal *Perſians*. *Caſpes* never ſuſpecting the great Officers, gladly referred the matter to their Cognizance, who when they perceived what was the determination of *Cabades*, out of reverence to his Virtues declared *Chſroes* King of *Perſia*. The Report hereof being carried to the Camp before *Martyropolis*, the *Perſian* Generals not knowing in what condition the affairs of their Countrey ſtood, and ſtill being afraid of the *Maſſagettes*, began to liſten to *Sittas* and *Hermogenes*, who not being able to relieve the Town, preſſed them much to ſuſpend all Acts of Hoſtility, and retiring home to ſuffer Ambaſſadors to take up the Quarrel, and for the reality of the Embaſſy they offered Hoſtages. The Hoſtages being received, the Army

Martyropolis Be-
sieged by the
Persians.

Cabades dies.

The Seige raised.

Seçt. 1. drew off and returned home. Which done, the *Hunnes*, or *Massagetes*, shortly after entered the *Roman Territories*, and finding no *Persian Forces* to joyn with them, in a few days also returned home.

27. *Hermogenes* with his fellow Ambassadors, *Rufinus*, *Alexander* and *Thomas*, had Audience of the *Persian King* at the *Tigris*, who upon their Arrival released the Hostages. To make him tractable they used flatteries, little becoming the Character they bore, which moved him to conclude a perpetual Peace for a hundred and ten Centenaries, on condition that the Commanders of the Forces in *Mesopotamia* should reside no longer at *Daras*, but at *Constantina*, as formerly they had done. But the Forts in *Lazica* he resolved to restore, and yet demanded of the *Romans* restitution of *Bolus* and *Pharangium*. Now a Centenary weighed one hundred pound weight, so called of *Centum* in Latin, (containing of our money, as some reckon, three hundred forty six thousand, and five hundred pounds,) and this Gold he demanded to quit the *Romans* from demolishing *Daras*, and sharing in the charge of the Garrison at the *Caspian Gates*. The Ambassadors agreed to all but the Forts, alleging that they could not deliver them without express Licence first had from the Emperour. It was resolved therefore to send *Rufinus* to *Constantinople*, about these particulars, prefixing him for his Journey seventy days, the rest being to stay till his return. *Justinian* hearing the terms, the *Persian* stood upon, gave his consent; but *Chosroes* having a false story, how that he was offended with *Rufinus*, and had put him to death, in great Anger invaded the *Roman Territories* with an Army. When *Rufinus* returned and met him near *Nisibis*, it was resolved to consummate the Peace, and the money was brought into Town by the Ambassadors.

28. But now again, *Justinian* repenting the quitting of the two Forts, wrote to his Ambassadors not to part with them, whereupon *Chosroes* refused to conclude the Treaty; *Rufinus* considering how unluckily he had brought the money into the *Persian* Dominions, cast himself at the King's Feet, begging of him safe conduct for the money, and to defer his designed Invasion. *Chosroes* granted all for his sake, so that the Ambassadors carried the money back to *Daras*, and the *Persian* Army retreated, which made them jealous of *Rufinus*, and accuse him to the Emperour, because the King had yielded to every thing at his perswasion. But the Emperour neglected the complaint, and sent him shortly after back to the *Persian* with *Hermogenes*, and they concluded that each should restore what had been taken in this War, viz. the *Romans* the Forts of *Bolus* and *Pharangium*, and the *Persians* the places in *Lazica*. That there should be no Commanders of Forces residing in *Daras*. And for the *Iberians* now at *Constantinople*, they had free liberty either there still to continue or return home. Thus was concluded the perpetual Peace, as it was called in the sixth year of *Justinian's* Reign, the DXXXII of the ordinary *Æra* of *Perga ad beign* Christ; for which were no Consuls nominated, no more than for that preceding it, and therefore in the *Fasti* it is thus marked, The second after the Consulship of *Lampadius* and *Orestes*.

29. *Belisarius* as we said, before the conclusion of the Peace, was sent for to make War against the *Vandals*, which the Emperour *Justinian* had secretly and with himself resolved. But not a word was spoken of his sending an Army into *Africk*: It was onely given out that he was discharged of his Government. But when the Peace was now fully completed, and all was well at home, the Emperour at a Consultation held with his great Officers, acquainted them that he would raise an Army against *Gebiner* and his *Vandals*. The most of them disliked it, remembering the overthrow of *Basiliscus*, of that great Fleet of the Emperour *Leo*, the Souldiers lost and the vast debt contracted by the State. Above all, the Prefect of the Palace was netled at it, and all Officers belonging to the Revenue, who quickly apprehended that they must without end supply the necessities of the War, without being as they were wont admitted to Excuise and Delay. Every Commander also doubted of the Employment, apprehending the greatness of the hazard, in the first place to pass the Sea, and then to incamp in an Enemies Country, and immediately upon Landing to grapple with a great and potent Kingdom. The Military men, newly returned from a tedious and difficult War, were no-whit pleased they should be led to a Sea Fight, a thing they had never heard of, and that before they had scarcely tasted of home Contentments. All others were indifferently affected, as content to be Spectatours of other men's dangers. However of those who were against the Expedition, none dared to cross it, but *John* the Prefect a *Cappadocian*, being the boldest and smartest man of his time, who laid before the Emperour the difficulty of the Enterprize. For his Army must either march

A perpetual Peace concluded.

Justinian consulted about a War against the *Vandals*.

John the Prefect against the War.

by Land an hundred and forty days Journey, or Sail to the utmost bounds of the Great Sea, as he called it; so that the very News of the success must be a year coming to him. Grant he should have the better, he could not be Master of *Africk*, both *Sicily* and *Italy* being in other Hands. And if Fortune should prove Cross, he must needs draw the War upon his own Dominions, and endanger his Affairs now well settled. The Emperour for these Reasons let fall his eagerness for the War. But a Bishop out of the East got Access to him and told him, that God had charged him in a Dream, to blame him for having undertaken to deliver the Christians of *Africk* from Tyranny, and now to grow cold upon no ground at all, whereas I will assist him, said he, and make him Master of that Countrey. Upon this the Emperour could hold no longer, but made preparations both by Sea and Land, requiring *Belisarius* to fit himself for the Expedition.

But the Emperour is prevailed with by a Bishop to undertake it.

A great Tumult happened before the Peace at *Constantinople*.

The Factions in Cities distinguished by Colours.

Their Original.

30. Here being ready with him to pass over into *Africk*, where we are to make some stay, we must first set all in order at home in point of History, and discharge our selves of a tumult which happened at *Constantinople*, a little before the Conclusion of the Peace with *Persia*. *Marcellinus* Writes that it happened in January on the Ides thereof, in the fifth year of *Justinian*, through a Conspiracy made against him by three Persons that were Cousin Germans, viz. *Hypatius*, *Pompeius* and *Probus*, the Nephews of *Anastasius* late Emperour. Each of them endeavouring to set up for himself. That the City hereby was much waisted for four days together by Fire, Sword and Rapines; and that on the fifth, when they intended to force the Palace, *Hypatius* and *Pompeius* were set upon, knocked down and slain, great numbers being killed in the *Circus*, and the Companions of the Usurpers, who were fled for it, proscribed. *Procopius*, giving us a fuller Relation of the matter, premitteth that the Commons of every City, anciently divided themselves into the *Venetii* and *Prasini*, the *Bleus* and the *Greens*; but of late about these Names and Colours wherein they stood to see Sights, they consumed their Estates, abandoned their Bodies to Tortures, and refused not the most shameful Death. They would run the danger of fighting with their Opposites, being sure, should they get the better, to be haled to Prison, and after extreme torturing, to be killed. There grew so ridiculous an hatred betwixt them, that it was without ground, and no Kindred, Alliance, Religion, or indeed Divine or Humane things or consideration whatsoever could withstand it. What became of themselves or any thing else they cared not, so their Party did but prosper. The very Women did partake in this Abomination, not onely as the followers of their Husbands, but often being their Opposites, though they were never wont to go to the Theatre, nor had other Inducements. Our Author knows not what to call it, but believes that it was a Distemper of the Imagination or fancy; however thus it was in every City and Corporation, and this gave original to that Mutiny, he thence proceeds to describe.

31. But before we follow him, seeing that this madness did so ordinarily rage, and was of such consequence as to produce strange and dismal effects in the Common Wealth, it will be convenient to inquire farther into the Original and manner of these Distinctions. Some have Written that *Onomastus* first found out those Colours of the *Circus*, by which the Factions People distinguished themselves, and that thereby he as it were represented the Contest of the Earth and Sea. They cast Lots, and he who happened to act the part of the Earth in the Contest, put on a Green Col. *Vat. in Nov. Hist. p. 30.* Garment; but he that was for the Sea, was Clothed with one of a bluish Colour. That this Contest *Onomastus* instituted on the twenty fourth day of March. If so be the Green Colour had the better, all hoped for plenty from the Earth, if the *Blew*, they expected Serene and safe Navigation; therefore Husbandmen wished for the Success of the *Green*, and Seamen of the *Blew*. But as the People thus distinguished themselves by these Colours, so did the Chariot drivers that ran the Races in the *Circus*. And *Tertullian* tells us, that at first there were onely two of these Colours, viz. the *White* and the *Russe*, or Reddish. The *White* was devoted to Winter, by reason of the Snow, and the *Russe* (so he calls it) to Summer, because of the redness of the Sun. But afterwards as both Pleasure and Superstition increased, others consecrated the *Russe* to *Mars*, others the *White* to the *Zephiri*, the *Green* to *Mother Earth* or Spring, and the *Blew* to *Heaven* and *Sea* or *Autumn*. But whereas, saith he, all Idolatry is Condemned by God; that is also condemned which is profaned by the worldly Elements.

32. It seems therefore, that at the first these Colours were taken up by such as made Contests, or celebrated Games in honour of these Elements, (which *Tertullian* accounts Idolatrous,) and that time and Custom bringing these heathenish Solemnities into every City and place any whit considerable, they continued such

Vide qua citat *At. lammus* ex antiquis *Historiarum* Collectionibus, et he who happened to act the part of the Earth in the Contest, put on a Green Col. *Vat. in Nov. Hist. p. 30.*

De Spectaculis, c. 9.

Sect. r.

The *Fallio* Pra-
fina.

Ruffata.

Alb. ita.

Veneta.

The *Prafini* by
Veneti most facti-
ous and remark-
able.The beginning
of the Mutiny
called *Nica*.

John the Prefect.

contentions in their Cirques or Hippodromes, and at length the Spectators took upon them the Names, if not the Colours which at first the Actours only wore, and divided themselves as their Affections or other Inclinations carried them, to that prodigious excess as *Procopius* relates. In *Rome* these four Factions had been from the beginning of the *Cæsars*, and before. The colour they called *Prafinus* was *Vide Omphrium de ludi circen-*
Green like that of a *Leek*, there being also a Gemm of this Name and Colour. *bur. c. 10.*
Caius Caligula was so extremely addicted to this Faction, that he supped and was commonly to be found in the Stable belonging to the Chariot drivers, and he would drive himself in the place which was called *Caianus* after him. Its also reported of *Verus* that he loved these *Aurigeæ*, favouring this Faction of the *Prafini*. Of *Commodus* that at his own House he would drive Chariots clothed in this colour, where he killed a great number of wild Beasts, as he did many also publicly. And of *Elagabalus* that he did the same thing. The Faction called *Ruffata* as also *Resca*, and *Rubea* or *Ruffa*, was also of old in *Rome*; *Livy* making mention of one of those Drivers or a *Ruffatus Auriga*: and *Pliny* relates that it was found in the Acts of *Felix*, another of this sort (*Ruffati Aurige*) that fire being put to his Funeral pile, one of his favourous cast himself upon it. This Faction is called by *Martial*, *Coccina*. And *Onuphrius Panninius* mentions two Marbles with their Inscriptions dedicated to the memory of two Drivers, or as they are there called *Agizators* of this same Faction.

33. Of the third Faction called *Alba* or *Albata*, because the Drivers were clothed in white, mention also is made by *Pliny*, as *Onuphrius* observes, as also in an ancient Table of Stone described by him. Of that of the *Veneti* or *Veneriani*, as sometimes it is read, there is a large account, for which *Vitellius* the Emperour had so much respect that he killed some of the multitude for openly cursing it, as done in contempt of himself, and out of the presumption of some new hope. *L. Verus* was abused by them because he most idly sided against them. *Caracallus* drove Chariots himself in this colour. These four Factions had their Stables for their Horses which ran Races in the *Circus*, near the *Circus Flaminius*. To these four ancient, *Domitian* added two more, one of a Golden and the other of a Silver, (some say Purple) colour; but after his Death, when all his Acts for his Cruelty were rescinded by the Senate, its probable they were again abolished, and so four remained as before, though *Dio* speaks of six Chariots which ran in the *Circenian* Games in the days of *Commodus* and *Severus*. But whether four or more than four, the principal Factions most taken notice of, most daring, petulant, and indeed in a manner onely factious and seditious, were the *Prafini* and *Veneti*, especially toward and in the time whereof we now write. The whole People in a manner was divided into them, and when met in the *Circus*, broke out into unspeakable impudence and violence, taking occasion to vent other Acts of emulation and malice, than what related to the Races run by their several Drivers. The Emperour had a particular Officer, who was his mouth to them, as was the *Questor* in the Senate, who prescribed what he would have done, and checked their tumultuous humour. But the Emperours might thank themselves for the Disorders that happened, most of the Debauched and Extravagant Princes having of old driven Chariots themselves, and others of them addicted themselves with too much zeal and favour to one of the Factions against the other.

34. So is *Justinian* reported to have done, as we shall hear with both Ears, from the pretended History of *Procopius*; let us now attend this Authour in his unquestionable Relation of this Mutiny. At this time, then, he saith the Prefect of the City led some *Factionists* to Execution. Thereat both Parties took Alarm and agreeing amongst themselves, first rescued the men, then broke the Prisons, and let out all sorts of Malefactors; and at last without any respect to Authority, killed the Officers of the Prefect. The Citizens who were of neither Faction, fled to the opposite Continent, and the City as if under an Enemy was set on Fire. The Temple of *St. Sophia*, the Bath of *Zeuxippus*, the Emperour's Court from the Porch to the Temple of *Mars*, the great *Porticus* reaching to *Constantine's Forum*, and the Houses of many great men, with much wealth were consumed. The Emperour and Emperess with some Senators shut themselves up in the Palace, and flured not. The word of the Mutineers was *Nica* or overcome, and thence this Mutiny was afterward called by that Name. At this same time one *John a Capadocian* was *Præfectus Prætorio* of the East, and *Tribonian* a *Pamphylian* was *Questor* to the Emperour. *John* was a man altogether unlearned, scarcely able to write, but of excellent natural Abilities, the most powerful man *Procopius* ever knew, both to discern what was fit to be done, and in doubtful things to find a Re-

solution,

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Tribonian the
Questor.Turned out of
their Places.Hypatius saluted
Emperour by
the Mutineers.The Emperess
flays the Empe-
rour from run-
ning away.Belisarius and
Mundus quell
the Mutineers.

solution, but the wickedest man alive, in wickedness he employed the strength of his Parts, without respect to God or men; for gain studying the Ruine both of the Estates of private men, and of whole Cities. Growing suddenly to excessive Wealth, he fell into boundless luxury, preying upon the Subjects till Dinner time, and then spending the rest of the day in Gluttony, Drunkenness and Leachery: In Sum, a man greedy to get money, and more lavish in spending it. *Tribonian* on the other side, over and above his great natural Abilities, had attained to such excellency of Learning, as he was inferior to none of his time. But in the methods of Covetousness, as industrious as the other, being ever ready to sell Justice for gain, making and repealing Edicts every day, ever selling them to any one who had occasion to use them.

35. During the Quarrels of the People about Names and Colours, there was little said concerning the misgovernment of these men. But when they consented, and were now formed into a Mutiny, they openly railed upon them, and consulted how they might kill them. The Emperour to appease the Tumult put them both out of their Places. To that of Prefect he advanced *Phocas* a *Patritian*, a wise man and naturally addicted to Justice, and *Baglides* also a *Patritian* and a famous honest man he made *Questor*. But the Mutiny rage nothing less. On the fifth day thereof towards Evening, the Emperour caused *Hypatius* and *Pompeius*, Nephews of *Anastafius*, to retire from Court to their own Houses. At first they delayed to do it, which made him more earnest they should, though they pretended it was not fit to leave him; for he was jealous of them, and they feared that the People would force them to the Empire. And so it came to pass; for the Mutineers hearing that they were retired from the Palace, the next morning ran to them, and saluting *Hypatius* Emperour, conducted him to the *Forum* to take the Government upon him; *Maria* his Wife, a sober discreet Woman, crying, lamenting, and protesting that they were leading him to his Death, and hanging upon him to slay him till they forced him from her. Having by plain constraint brought him to the *Forum* of *Constantine*, they proclaimed him Emperour of the *Romans*, binding about his Head a Golden wreath, for want of a Diadem.

36. The Senators, as many as were not in the Palace, joyed, and the opinions of many were to trie their Fortunes at the Palace; but *Origen* a Senator perfwaded them not to hazard all at one push, but carry their business leisurely, not doubting but *Justinian* would run away. *Hypatius* then bade them lead on to the *Circus*, as some thought purposely out of affection to the Emperour, who now consulted whether he should stay or fly by Sea. Many speeches were made, but the Emperess *Theodora* with a manly Courage dissuaded him from stirring, affirming Death better than Exile or Deposing, and sticking to that old saying, *How brave a Sepulchre is a Kingdom*? Hereat taking Courage, they considered how they might defend themselves. All the Souldiers who lay Quartered about the Palace or elsewhere, neither affected the Emperour nor joyed in the Mutiny, but expected the Event. All his hope was in *Belisarius*, who being newly come from the *Persian* War, had brought with him a strong Guard of Lancers, Targetiers and others, all old Souldiers. And *Mundus* the *Magister Militum* of *Ilyricum*, being sent for to *Constantinople*, chanced to bring with him a Troop of *Heruli*. *Hypatius* in the *Circus*, went directly and fate down in the Emperour's Seat, where he was wont to behold the Horseraces and other Exercices. But out came *Mundus* by the Gate *Cochlea*, so called from its round shape like the shell of a Snail. *Belisarius* first resolved to set upon *Hypatius* in the Imperial Seat, and called at an Hall where was wont to be a Guard of Souldiers, bidding them open the Doors for him to go against the Usurper. But they resolving to expect who should be Conquerour, made as if they heard him not, upon which he returning to *Justinian*, cried out that all was undone, because the Souldiers had revolted.

37. But being directed by the Emperour through the Brazen Gate and the Portal, and passing with much danger and toil, through Rubbish and places half burnt, he got to the *Circus*. Being come to the Gallery of the *Veneti*, which was to the right hand of the Emperour's Seat, he thought to set upon *Hypatius*, but fearing to be cut in peices in a narrow passage, he resolved to fall on the innumerable Multitude which crowded together. Drawing his Sword, and bidding the rest doe the like, he ran upon them with a great Shout, who seeing Armour, and old Souldiers hewing them down unmercifully, fell to running away. A fearfulcry being made, *Mundus* rushed into the *Circus* also at the Gate called *Neera*, and so between them both, the Mutineers were cut in peices. Of the common People were slain more than thirty thousand. *Hypatius* was pulled out of the Seat, none resisting, by *Bo-*
raides

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raides and *Justus* the Emperour's Nephews, and led together with *Pompeius* to *Justinian* who commanded them to Prison. *Pompeius* little veried in Affairs of the World, could not refrain from weeping, but *Hypatius* chid him, saying, that men who perished unjustly, ought not to be lamented, as they being forced by the People first, and then coming to the *Circus* for no hurt to the Emperour. However the Souldiers killed them both the next day, and cast their Bodies into the Sea. *Justinian* confiscated their Estates, as of all the Senators that had joyned in the Mutiny, and afterward when he had given away all their best Lands and Goods, restored to them and the Sons of *Hypatius* and *Pompeius* their former Dignities, with so much of their Estates as he had not given away: so ended this Mutiny. *Tribonian* and *John* were restored to their Places. *Tribonian* being a pleasant fair spoken man, and able to veil his Covetousness with abundance of Learning, died in his Bed without any other disgrace, of whom we are to speak upon a better occasion. *John* was troublesome to the World, and being both a publick grievance and terrour, at length after several years came to such an end as he had deserved. Of which hereafter.

Hypatius and Pompeius killed.

Tribonian and John restored.

38. Such is the Relation made by *Procopius*, concerning this Mutiny, thenceforth called *Nica*. This is strange in it that both the Factions, *Venetii* and *Prasini*, should joyn against the Emperour. For, he is exceedingly blamed, even as a madman, for siding with the *Venetii* against the other. We have another story told concerning the Mutiny being begun by the *Prasini*, who clamorously demanded Justice against *Calapodius* a Bed-chamber-man, and a *Spatharius*. But *Procopius* himself distinguisheth as to the time, betwixt that space wherein these Mutineers contended about Names and Colours, which it seems was three or four days together, and that wherein the Factions joyned together, and then demanded Justice against *John* and *Tribonian*. During the Contention betwixt themselves, and while they were divided, the *Prasini* found occasion to quarrel with the Emperour about *Calapodius* a Bed-chamber-man, and a *Spatharius*, as *Theophanes* relateth out of the ancient and publick Monuments of Constantinople. Now because from this sparke proceeded so great a flame as was that of *Nica*; and because as in some Picture, *Alamannus* tells us, may therein be discovered the State of the Empire as now it stood, the humour of *Justinian*, the licentious demanour of the multitude, in the *Circus* and Theatre, and other things relating to the clearing of the History of these times, we shall transcribe the Relation as we find it worded, Dialogue or scolding-wife, betwixt the Emperour's Mandator and the Factionists, though the style and expressions be very rude and bald.

Apud Alamannin. Note p. 62.

39. The Rebellion (it begins) called *Nica*, happened after this manner. Both the Factions met in the *Circus*, and the *Prasini* or *Greens* with great clamours required that *Calapodius* of the Bed Chamber, and a *Spatharius*, might be proceeded against according to Law. *Prasini*. Long mayst thou live, *Justinian Augustus*. I suffer unjust things, Good *Cæsar*, neither can I bear them. God is my witness, but I dare not mention any Person lest I should procure him better fortune and, for so doing, danger to my self. Mandator. Who is that? For I am ignorant of the matter. *Pras.* He that injures me lives in the Region of Tailors, most August Prince. Mand. No body injures you. *Pras.* One there is and he alone who deals unjustly with me. So may he never lift up his Head, O Mother of God. Mand. Who is this? for we know nothing of it. *Pras.* *Calapodius* the *Spatharius*, my Sovereign, it is he that injures me. Mand. But *Calapodius* hurts no body. *Pras.* Whosoever he is, let him perish as *Judas*. Let God punish him that injures me, and that speedily. Mand. Ye come not hither to behold the Shews, but to revile your Governours. *Pras.* Whosoever, I say, vexeth me with Injuries let him perish as *Judas*. Mand. Be quiet, ye *Jews*, *Manicheans* and *Samaritans*. *Pras.* Do you call us *Jews* and *Samaritans*, and the Mother of God is propitious to us? Mand. How long will ye pour out Curses upon your own Heads? *Pras.* Whosoever faith not that the Emperour doth believe aright, Anathema to him as to *Judas*. Mand. If ye will hear me, be all baptized into One. *Pras.* They tumultuously cry out, as *Antlas* Commanded, I am baptized into One. Mand. Absolutely, if ye will not be quiet it shall cost you your Lives. *Pras.* Every one endeavours to usurp that he may be secure. But if we who are afflicted, if we say any thing, let it be interpreted in the best Sense by your Majesty, for the Divine power beareth with all. We have a Tryal to be, O Emperour, and therefore we speak all. Forasmuch, Mighty *Augustus*, as there is neither Court nor any Establishment of Polity; then I go onely forth into the City when I am at *Burdane*, and I with, Mighty *Augustus*, not then neither. Mand. Every Freeman may freely go whither he pleaseth. *Pras.*

I am

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I am confident of my liberty, yet am not permitted to come abroad. What Freeman soever he be, if he be suspected to be of the Faction of the *Prasini*, he is openly punished with loss of the Light.

40. Mand. Ye that are near to distraction, spare ye not your own lives? *Pras.* Let us indeed that bear this Colour be cut off; And let there be no such thing as that called Justice. Abstain from slaughters, and then let us be punished. As those Waters flow from the Fountain, so let their Blood flow, whom thou wouldst have punished. But those two things (*Injustice and Cruelty*) humane Nature absolutely abhors. O would *Sabastius* (the Father of *Justinian*) had never been born, and then he had not had a Son of blood. Now the six and twentieth Murderer hath been committed at *Zeugma*. In the Morning he was a Spectatour, and in the Evening he was killed. O Sovereign! *Venetii*. Amongst you only are to be found Murderers in the *Circus*. *Prasini*. And when didst thou part hence without blood? *Ven.* As for thee, thou without any cause fallest on killing. For as I said of such as meet in the *Circus*, those that kill are onely to be found amongst you. *Pras.* Our Lord *Justinian*, They provoke others, and no body kills them. I think he that hath no mind to it, understands this. O Emperour, who killed the Carpenter at *Zeugma*? Mand. Ye killed him. *Pras.* Who killed the Son of *Epagathus*, O Emperour? Mand. And that did ye; but ye draw the *Venetii* into the guilt. *Pras.* Now, Lord have mercy upon us. How is Truth oppressed! And one would almost now dispute with them who contend that humane Affairs are governed by Providence. How comes this Misfortune? Mand. God is no Tempter of evil things. *Pras.* True, God is no Tempter of evil things. But who oppresses me unjustly? Go to. Whether thou beest a Philosopher, or an Hermite, give a distinction of both. Mand. Ye Blasphemers and impious, when will ye be quiet? *Pras.* Seeing such is your pleasure, most *August Sir*, I am quiet, though unwilling. I know all and every thing, but I am silent. Justice farewell. There's no place left for thee now. I will be gone, that I may turn *Jew*. It's absolutely better, and to be initiated in the Rites of the *Gentiles*, God knows, than to agree with the *Venetii*. *Ven.* Let me not see such wickedness; yet the hatred of you provokes me to wish it. *Pras.* Let their Bones be digged up after death that will stay here to gaze. So the *Prasini* departed, leaving the Emperour and the *Venetii* in the *Circus*. It seems however that both Factions afterward agreed to join against the Emperour; a wonderful thing! But how infirm must this Government have been, which was continually in danger from the Meetings of such multitudes together, where so many thousands, though of one Faction, were unanimous, as we see they spake as one man in the first Person singular. Their boldness was such as scarcely could a Prince bear, who had life and death in his power, so long at least as they were pleased to permit it. Now we have cleared all at home, though long first, and left no disturbance behind us; we must therefore launch forth, and attend upon *Belisarius* into *Africk*. But we must first clear the way for him, by declaring who they were he was to conquer; and what Dominion, Kingdom or Power it was that he was sent to subdue.

Belisarius sent against the Vandals.

41. *Africk* then, the Reader may remember, was seized by *Genferick* or *Gizerick* and his *Vandals*, who were called in by *Boniface* the Roman General, dislodged by *Placidia*, the Emperour *Valentinian's* Mother, through the tricks of *Ætius*. They were both great Souldiers, inferior to none of their time, and so high in worth and spirit, that in the opinion of *Procopius*, he shall not err who calls either of them the last of the *Romans*; but they always differed in publick Affairs, and the emulation of *Ætius* procured the loss of *Africk*. How *Boniface* too late repented he had called in the *Vandals*, and was beaten by *Genferick*, we have seen; as also how *Genferick*, proceeding in his design, subdued *Africk*, settled his Interest therein, took *Rome*, and became troublesome to all his Neighbours. How the vast Army and Fleet sent to chastise his Insolence by *Leo*, miscarried through the treachery of *Basiliscus* we have also heard, moreover of the Design of *Majorianus* to recover *Africk*; how he disguised himself as the Emperour's Ambassadour to make a discovery, but died when the *Romans* had good hope to recover that Country. *Genferick* having either by force or artifice shaken off his Enemies, harassed the Roman Provinces more than ever, till *Zeno* came to a Treaty with him, and a perpetual Peace was concluded; That the *Vandals* should commit no Acts of Hostility against the *Romans*, nor from them receive any. This Treaty was observed all the time of *Zeno* and *Anastasius* his Successour, and during the Reign of *Justin*. *Genferick* at length died a very old man, having reigned over the *Vandals*, from the taking of *Carthage*, seven and thirty years.

Who they were.

Genferick their King.

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Honorick.

42. By his Testament he charged the *Vandals* that the Kingdom should fall ever to such Male descendant from himself as was eldest in years. *Honorick* his eldest Son succeeded him, *Genzo* being lately dead; and during his Reign the *Vandals* had war onely with the *Moors*, who being rid of *Genferick* who kept them in awe, did the *Vandals* much mischief, and received much from them. But this *Honorick* was most cruel and unjust to the Christians of *Africk*, forcing them to turn *Arians*, or for refusal, burning, and in several sorts destroying them. From many he cut out their Tongues by the roots, who, *Procopius* writes, to his time lived in *Constantinople*, speaking perfectly, and feeling no manner of inconvenience from that torture. Two of these meddling with light Women after it, lost their Speech. *Honorick* having reigned eight years, died of sickness, at which time the *Moors* held *Aurafum* a Mountain of *Numidia*, thirteen days journey Southward from *Carthage*, and there lived in liberty, having shaken off the yoke of the *Vandals*, who could not make war against so high and craggy a Mountain. By the death of *Honorick* the Kingdom came to *Gundamund*, the Son of *Genzo*, and Grandson of *Genferick*, having the advantage of years above any of his Race. He had many Battels with the *Moors*, vexed the Christians in the most extreme manner, and died in the twelfth year of his Reign. His Brother *Trafamund* succeeded, a goodly man, wife and magnanimous. He also laboured to make the Christians change their Religion, not by Tortures, as his Predecessors, but by courting them with Honours and Offices, and with large Gifts; taking no notice of such as would not submit. If he found a man in a great crime, he offered him impunity to change his Religion.

Gundamund.

Trafamund.

43. Having lost his Wife, and being without Children, out of desire to establish the Succession, he asked in marriage *Amalafrida*, the Sister of *Theoderich*, King of the *Goths*, whose Husband was lately dead. He sent him his Sister with a Guard of one thousand selected *Goths*, who were followed by five thousand more fighting Men; and he gave her *Lelybaum*, one of the Promontories of *Sicily*. *Trafamund* seemed the most powerful of all those who had governed the *Vandals*, and most illustrious; yet in his Reign they received a great overthrow from the *Moors*. *Cabaon* who was Prince of the *Moors*, inhabiting about *Tripolis*, a man experienced in many Wars, and very witty, hearing that the *Vandals* would be upon him, first enjoined his People to forbear unjust dealings, delicious diet, and especially the company of Women. He made two Intrenchments; in the one he lodged himself and his Men; and in the other he shut up the Women, making it death for any Men to go into their Intrenchments. This done, he sent Spies to *Carthage*, with direction to observe what indignities the *Vandals* in their march offered to Christian Churches, and when they were gone from the place, that they should do the quite contrary. And he said he was ignorant indeed of the God whom the Christians worshipped; But it was likely, if he was so powerful as they said he was, that he would punish those that scorned him, and defend those that honoured him. The Spies having observed the preparations of the *Vandals* at *Carthage*, followed the Army in a poor disguise toward *Tripolis*. The *Vandals* in their first days march lodged in the Churches of the Christians, put into them their Horles, and other Beasts, and spared no kind of indignity. They practised therein all lewdness, and beat and whipt the Priests they found, commanding them Duties which they imposed on their meanest Slaves.

44. So soon as they were gone, the Spies of *Cabaon*, according to their order, cleaned the Churches, lighted the Lamps, did low reverence to the Priests, and used them courteously, and to many Poor about these Churches gave Money, and then followed the *Vandals*. In all the Journey they mended what the *Vandals* did amiss; and getting before to *Cabaon*, told him how far off the Enemy was, and what they had done to the Churches. He presently then prepared for a Fight. The Field he chose to intrench in, he took in with a circle, and placed his Camels side-long in a round to fence his Camp, making the Front twelve Camels deep. The Women and Children, unserviceable Men and Baggage he put in the middle, and his fighting Men he placed within the Legs of those Beasts, having Shields to ward with. To such a kind of Battalion he *Vandals* knew not what to do, being neither Archers, nor Darters, nor good Infantry, but most Horsemen, using the Lance and Sword, and not able to hurt an Enemy afar off. Their Horles not enduring the fight of the Camels, would not approach the Enemy, who plying them with Darts from a safe place did such execution upon them and their Horles, that they ran away. The *Moors* followed the chase, and took and killed so many, that few got home. Such fortune had *Trafamund* with the *Moors*, and after seven and twenty years died.

45. Hilde-

Hilderick.

45. *Hilderick* the Son of *Honorick*, and Grandson of *Genferick*, succeeded, a Prince mild to his Subjects, and not harsh to Christians or any else, but fainthearted, not enduring to hear of War. *Floamer* was his General, his Nephew, and a good Soldier, whom they called the *Achilles* of the *Vandals*. In his Reign the *Vandals* lost a Battel against the *Moors* of *Byzacium*, commanded by *Antalus*, and quarrelled with *Theoderich* and the *Goths* in *Italy*. For *Amalafrida* they kept in prison, and put all the *Goths* that attended her to death; pretending they preached against their King and State. And this *Theoderich* was not in capacity to punish, wanting a Navy to make war upon *Africk*; and *Hilderick* was an ancient Friend of *Justinian*, who then had the Government in his own Hands, (his Uncle *Justin* being very old, and not skilled in Affairs of State) and they courted each other with Presents. But there was of the Race of *Genferick* one *Gelimer*, the Son of *Gelilac*, the Son (or Nephew by his Son *Genfon*) to *Genferick*, who being next in years expected to succeed *Hilderick*. For War he was renowned, but wicked of disposition, and skillful in Mutinies and Rapines. *Hilderick* had yielded to him the management of Affairs; but perceiving his Reign to come slowly, he could not content himself with that condition, but made a Party, and persuaded the Principal *Vandals* to depose *Hilderick* as a Coward, and beaten by the *Moors*, and one who betrayed the State to the Emperour *Justin*, to keep the Kingdom from him who was of the other House; and this he said was the intent of the late Embassy to *Constantinople*. Upon these persuasions they did so. And *Gelimer* being advanced to the Kingdom, shut up *Hilderick* in Prison in the seventh year of his Reign; as also *Floamer* and his Brother *Euagees*.

Gelimer caused him to be deposited, and succeeded.

Justinian interposed in Hilderick's behalf.

46. *Justinian*, who was now Emperour, having notice of it, sent Ambassadors, and wrote to *Gelimer*. He told him that he acted not religiously, nor as was due to the Testament of *Genferick*, to keep in prison an old Man of his Blood, and his King too, if *Genferick*'s wife Constitution was worth any thing; and to force him from a Kingdom, which shortly he would have by Law. He advised him not to proceed in Evil, nor change the Title of a King for that of an Usurper for a little advantage of time; but to let him carry the Image of Royalty to his Grave (into which he was stepping) he having the management of it already; and having the Substance to attend upon the Law of *Genferick* for the Name. If so he did, he would find God propitious, and him his Friend. *Gelimer* herewith was only so far concerned, as to send away the Ambassadors dissatisfied, to put out *Floamer*'s Eyes, and to keep *Hilderick* and *Euagees* in stricter prison, accusing them to have attempted an escape to *Constantinople*. Upon this *Justinian* sent other Ambassadors, and told him that he did not think he would have done quite contrary to his Advice. But seeing it pleased him thus to get a Kingdom, he bid him take what Fortune gave him; but he would have him send *Hilderick*, and blind *Floamer* and his Brother to *Constantinople*, to get such comfort as men were capable of, who had lost Kingdoms and Eyesight. If this he refused to do, he would not endure it. The hope they had in his Friendship, he said, induced him thus to act in their behalf; and the Treaties with *Genferick* could be no obstacle, being not to make war upon, but to vindicate his Successor.

But in vain.

47. To this *Gelimer* gave an Answer, which had this direction; King *Gelimer* to the Emperour *Justinian*. He told him he had neither taken the Kingdom by force, nor committed impiety against his own Blood. That the *Vandals* deposed *Hilderick* for practising against the House of *Genferick*. That time had called him to the Kingdom, giving him his right of Eldership according to Law. That it was good for a man to govern what he himself had, and not encroach upon other Mens Cares; and 'twas just in him who had a Kingdom of his own, not to be thus meddling. If he broke the Treaties and invaded, he would oppose him to his power, calling to witness the Oath sworn by *Zeno*, whose Successor he was. *Justinian* was angry before, but these Letters more excited him to revenge. And being, *Procopius* saith, an acute Deviser, and nimble in execution, he resolved to conclude the *Persian* War speedily, and then to invade *Africk*. *Belisarius* General of the East was then at Court, and sent for; but not a word of his leading an Army into *Africk*. It was given out that he was discharged of his Command; and the *Persian* perpetual Peace was newly made. But all being well at home, and with *Persia*, the Consultation was held with the great Officers we lately mentioned, whereby the Emperour was diverted, till animated again to the Enterprize by the Eastern Bishop.

48. *Tripolis* was already in the Emperour's Hands, being betrayed by *Pudentius* a Native. *Pudentius* was protected by *Gedau* a *Goth*, and Servant of *Gelimer*, a man

Sect. I.

Hilderick, with eximie potent.

Gelo-mer, Pseudo-nigra Princeps.

Gelo-mer, Cynagurum Princeps, Euagees, pro lege foris.

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man pragmatical and courageous, and seeming most affected to his Master. To him *Gelimer* had committed the care of *Sardinia*, and to collect the Tributes there; but his mind not digesting such a Fortune, he usurped the Island, and denied to send the Tributes, keeping them to himself. Understanding that *Justinian* sought occasion of a War with *Gelimer*, he wrote to him, and told him that not out of ingratitude, or suffering any disfavour from his Master, he had thought upon a Revolt: But considering the Man's cruelty, both to Kindred and Subjects, he would not willingly be a partaker of the same. He said it was better to serve a Rightfull Emperour, than a Tyrant who commanded things unlawfull. He prayed him therefore to consider the weightiness of the Enterprize, and to send him Forces to defend him from an Invasion. The Emperour sent *Eulogius* to him, and in an Answer commended his Wisdom and Zeal to Justice, and promised Aides, and a General sufficient to keep the Island, with assistance otherwise, that the *Vandals* should not hurt him. *Eulogius* being come into *Sardinia*, found *Godas* had taken the Title and Habit of a King, and got a Guard about him. To the Emperour's Letters he replied, that for Souldiers, he desired them, but had no need of a General; and dismiss *Eulogius*.

Justinian's preparations for the War.

Preparations for the War with the Vandals.

49. *Justinian* had prepared four hundred Men, commanded by *Cyrril*, to defend the Island for *Godas*. He had in readines for the Expedition of *Carthage* ten thousand Foot, and five thousand Horse, levied of the Legions and Confederates; for transporting of whom were appointed five hundred Vessels, of which none were of more burthen than fifty thousand *Medimni*, nor of less than thirty thousand; now a *Medimnus* contained six *Modii*, in weight one hundred and eighty pounds. They were manned with twenty thousand Mariners, most *Egyptians*, *Ionians* and *Cilicians*: the Admiral of the whole Fleet being *Calonymus*, an *Alexandrian*. In case of a Sea-fight, they had ninety two Pinnaces, called then *Dromones* for their swiftness (for the use and names of *Triremes* and *Liburnæ* were then grown out of date;) with one row of Oars and Decks over the head to cover them from the Enemies Shot, having aboard no Passengers but two thousand Rowers from *Constantinople*. *Archelaus* a Patritian, formerly *Præfectus Prætorio*, in *Constantinople* and *Ilyricum*, went Prefect of the Camp; for so they called the Officer who made provision for the Army. Over them all was *Belisarius* Commander in chief, with absolute authority, whom by a special Commiſſion the Emperour empowered to act and doe as he should think fit; ratifying and confirming all things so acted and done, as if he himself had given the orders. He was attended by many Launciers and Targetiers, old tried Souldiers. He was born, not in *Germany*, as some of that Nation would have it, but in *Germania*, a City of *Thrace*, in the Confines of *Ilyricum*, vide *Alaman*. in which was a Metropolis, and is mentioned in the Sanctions of the Eastern Bishops. *Procopius* saith expressly that this *Germania* lay betwixt the *Thracians* and *Ilyrians*; *Procopii Hist.* and he had reason to know, being both his Contemporary, and his Assessor in this very expedition; being at first afraid of the Voyage, but afterward encouraged and made eager upon it by a Dream, which he himself relateth.

Belisarius the General takes his Ship.

50. In the seventh year of *Justinian's* Reign, about the Summer Solstice, the Army embarked, and *Belisarius* commanded the Admiral Gally to ride under the Palace. Thither came *Epiphanius* the Patriarch, and having made such Prayers as were fuitable to the occasion, put aboard a Souldier newly baptized, whose God-father and Godmother were *Belisarius*, and his Wife *Antonina*, who named him *Theodosius*, the Man being one of their own Retainers, and much valued by them. Thus the said General and his Wife put to Sea, with *Procopius* in their company, having received the Patriarch's benediction in the manner related; for the Ancient Christians put a great stress upon Baptism, holding that by it all Sins were forgiven to the Parties, (which made them defend it till the period of their lives;) and that an Action could not better be hallowed and blessed than by celebration of that Sacrament. The Fleet following the Admiral, and coming to *Perinthus* (at that time called *Heraclia*) staid there five days, whence sailing to *Abydus* they were becalmed four days, and so had time to mutiny about two *Masagetes*, whom the General had caused to be crucified for killing in their drink one of their Countreymen. Having by a Speech appeased the minds of the Souldiers, and persuaded them to live soberly, he painted the Masts of his own Ship and two others, aboard of which was his Train, with red from the top about a third part, and set up high Poles in the Stern, on which he hung Lanthorns that they might be seen both by day and night, and thereby the Fleet be kept together. By this means he procured that not one Vessel was cast behind; and when they weighed Anchor from any Harbor, the Trumpets were sounded to give warning. From *Abydus* a stiff gale brought them to *Sige-*

Joan. Leond. pro-
prio in Zacim.
vide Alaman.
Procopii Hist.
secret.

Procop. de belis
Vandal. lib. 1.
et ex Hist. Jo-
cret.

Sect. 1.

to *Sigeum*, whence, being becalmed, they came to *Malea*, where the calm flooded them in good stead, the want of Sea-room for so great a Fleet so much indangering the Ships by night, that although the Mariners behaved themselves very well, calling out, and with their long Poles thrusting and keeping distance from one another, yet had the Wind been great, they could hardly have kept from falling foul, and indangering the Fleet. Getting clear, they reached *Tænarus*, at that time called *Cænopolis*; whence coming to *Methone*, and the wind not serving, the General landed his whole Army.

The Army suffers through the Avarice of John the Cappadocian.

51. Here he modelled the Army, and distributed the Commands thereof, wherein when he busied himself, lying Wind-bound, many of his Souldiers died of a sickness, occasioned by the avarice of *John the Cappadocian* lately mentioned. The Bread for the Army, that it might not quickly corrupt, was wont to be twice baked (whereupon it was called *panis biscoctus*, or Bisket) so that of necessity the Souldiers must have a fourth part less in weight. Now this *John* the Prefect, that he might spend less wood and wages upon the Bakers, and also gain by the weight, brought the Loaves unbaked to the publick Bath, called *Achilli*, where putting them into the Stove, under which the fire was made; when they were thus sorrowfully baked, he sent it in facks to the Fleet. Being come to *Methone*, the Bread turned to dough, grew mouldy, corrupt and musty; but such as it was, the Officers distributed it to the Souldiers, who feeding on it in Summer, in a place of extreme heats, fell sick, and more than five hundred died; and more had, but that *Belisarius* procured Bread of the Countrey adjoining, for which he received thanks from the Emperour, but as then could not get *John* to be punished. From *Methone* they failed to the Port of *Zante*, where taking in fresh Water, and other necessities, in fifteen days they passed the *Adriatick* Sea, (so *Procopius* calls that which others know by the name of *Ionian*) and with a slack wind arrived at a desert place of *Sicily*, near to Mount *Ætna*, having all their Water corrupted, except what was drank at the General's Table, which his Wife had preserved in six Vessels of Glass, covered thick with Sand in the Hold, where no Sun could come. *Belisarius* was now got hither, but he wist not well himself to what purpose, neither knowing what Souldiers the *Vandals* were, nor how, nor whence to make the war upon them; the Souldiers also were so fearfull, that they shamed not to profess, that as on Land they would doe their best, so if the Enemies Fleet should appear, they would fly, not being able to fight with them and the Waters too. In this perplexity he sent *Procopius*, his Assessor, to *Syracuse*, to make what enquires he could, and then to meet him at *Caucana*, twenty seven miles distant from *Syracuse*, where the Fleet should ride at Anchor. He was fully informed by an old Friend of his, concerning all circumstances; as that there was no fear of the *Vandals* way-laying them, because there was not any report of an Army coming, their best Souldiers being sent against *Godas*, and *Gelimer* being so secure, that neglecting *Carthage*, and the Sea Towns, he made his abode at *Hermione*, near *Byzacium*, four days journey from any Sea. The General receiving this intelligence with great joy, weighed Anchor, and sailed by the Islands of *Gaula* and *Malra*, whence with an Easterly wind they came the second day upon the Coast of *Africk*, to a place called *Caputnada*, five days journey from *Carthage*.

52. *Belisarius* commanding Anchor to be cast, called a Council of Officers to consult about landing, and how to begin the War; some were for passing directly towards *Carthage*, both because in a tedious march through the Countrey they should meet with many hazards and inconveniences, and leave their Ships at the mercy of the Sea; or of their Enemies. But *Belisarius* considering that above all things his Men abhorred a Sea-fight, and that if he failed directly toward *Carthage*, in all probability he must come to an engagement, resolved to land forthwith; and taking the Horse they had brought with them, Arms and other necessities, to intrench within a good Rampire, and thence to begin the War. The Rampire was finished the same day, and their success therein was double, lighting upon a Spring in digging, which supplied both Men and Beasts with water, a thing never heard of before in that dry Tract of *Byzacium*. Having secured the Ships by appointing eight Archers to each, and the light Gallies to lie round about them; by *Borades*, one of his Life-guard, he took in *Syllættus*, a Sea-town in the way to *Carthage*, the Townsmen willingly delivering up the Keys. The same day the Master of *Gelimer's* Posts revolted, giving up his Horses; and one of the *Veredarii*, or Posts themselves was taken, whom the General would not suffer to receive any hurt, but giving him a good quantity of Gold, took his oath to deliver *Justinian's* Letters, which he had written to the *Vandals*, into the hands of the Governours. They were written to this purpose; that, *It was not his intent to make war upon the Vandals, nor infringe the*

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Treaty formerly made between Genferick and his Predecessors, to free them from an Usurper, who neglecting that King's Testament, kept their Lawfull Prince in Prison, and otherwise afflicted and tormented those of his Blood. He exhorted them to join with him in this good work, to the end that they might enjoy peace and liberty, which to observe inviolably to them, he made Oath to Almighty God. The Man took the Letters, but durst not shew them to any, except some private Friends, and so nothing material came of this Project.

53. Belisarius beginning his march for Carthage, ordered it in this manner. To the Right hand was the Sea, and therefore on that side was no danger, the Fleet by his order keeping them company. A Forlorn-hope, consisting of three hundred Targetiers, he committed to John the Controller of his Household, by the Romans called *Optio*, being an *Armenian*, and a man eminent both for valour and conduct. Directing him to march some two miles and a half before, he commanded the *Massagetes* to keep on the left hand of the Army, himself bringing up the Rere, with his best Men, and expecting *Gelimer* to come shortly from *Hermione*. He governed his Souldiers so well in his passage, that by their sobriety and temperance he gained much upon the *Africans*, so that he marcht as in his own Countrey, the People neither removing themselves nor goods, but giving free Market, and doing all offices of kindness to his Men. *Gelimer* hearing of their approach, wrote to his Brother *Ammatas* at Carthage, to kill *Hilderick* with his Relations, and arming such *Vandals* as well he might, at a Town called *Decimum*, about eight miles from Carthage, where was a narrow Passage, to charge the Enemy on both sides, and intrap him. He accordingly killed *Hilderick* with *Evageus* his Cousin, *Omer* being dead before; and prepared his Men for the design of *Decimum*. *Gelimer* also sent his Nephew *Gibamund* with two thousand *Vandals* to keep on the Enemies left hand, that so *Ammatas* from Carthage, he himself in their Rere, and *Gibamund* on their left hand charging together might encompass them. Thus was the Plot laid. As to the success, *Ammatas* came to *Decimum* three hours before his time, both the Armies of *Romans* and *Vandals* being then short of the Place. And he came but with a few, and those not of the best neither, leaving the main Body in Carthage to follow after. He killed twelve stout Fellows in the head of *John's* Troops, but fighting valiantly was himself slain, at the sight whereof his Men were discouraged, and running away, caused the main Body to fly, who marching out of order, and seeing their Fellows running, turned head, and imagining great numbers pursued, fled back for company. In the pursuit *John's* Troops did great execution, killing up to the Gates of Carthage for eight miles length such a number, that one would have gueft it a work of twenty thousand Men at least.

54. At the same time *Gibamund* with his two thousand Men falling into the hands of the *Massagetes*, perished every Mother's Son without any resistance, at the Salt Plains, five miles from *Decimum*. *Belisarius* having no notice of any of these Accidents marched towards *Decimum*; four miles from which, in a convenient place, he intrenched himself. There having made an encouraging Speech to his Army, and a Prayer to Almighty God, he left the guard of his Wife and Camp to the Foot, and sallied with his Horse, sending the Confederates before him. The Confederates had not long continued their march when they were encountered by the *Vandals*, and *Gelimer* at the head of them, by whom they were easily put to flight, running away to a Town less than a mile from *Decimum*, where was *Oliarius*, one of *Belisarius* his Life-guard, and eight hundred of his Targetiers. Here the *Vandals*, concluding that *Oliarius* would receive them stoutly, made an halt, although his Troops fled amain to *Belisarius*; and *Gelimer* having the Victory in his hands, carelessly quitted it. If he had followed on the chase, the General himself had not stood him, but all had been utterly ruined, so vast seemed the number of the *Vandals*, and so great was the fear of the *Romans*. Had he rode on towards Carthage, he had defeated the Troops of *John*, then wholly disordered and intent upon the Plunder of the Field; whereby he should have saved the City, become Master of the Enemies Ships, and cut off both all victory and hope of a safe return. But he did none of these things, riding softly down the Hill, and then in the Plain, spending the time in lamentations after he had found his Brother's Body, and neglecting such an opportunity, as thenceforth he could never recover. For *Belisarius* caused his flying and dispersed Men to rally, and animated upon report of the success of *John* against *Ammatas*, after he was sufficiently informed, both concerning the Enemy and the Place, marched against *Gelimer* and his *Vandals*. They being unprepared, and in disorder, ran away amain; and the execution lasting till night, many of them fell. The rest fled not to Carthage, nor *Byzacium*, whence they came, but towards

Ammatas five
Amb-hau, Mi-
nijerius Impe-
rant.

Gibamund five
Gau-Mund, Pa-
rum Or.

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towards the Plains of *Bule*, and the way to *Numidia*. In the Evening *John* and the *Massagetes* came up with the Army, and both telling and receiving joyfull News, lodged with it that night at *Decimum*.

55. The next day, the Foot coming up with the General's Lady, they marcht toward Carthage, and arriving within night, lodged abroad without the City, although they might have safely enough entred, for the *Carthaginians* had set open their Gates, the City shined all night with Lights and Bonfires, and the *Vandals* were fled to the Churches. The same day the Fleet having made the Promontory, the Citizens opened the Iron Chain of their Haven *Mandracium* to let it in, yet the Admiral not knowing of their intent, put into the Bay, called the Pool, five miles distant from the City, very commodious to harbour in, and capable of receiving the whole Fleet, of which the Haven was not. The next day the General commanded the Men ashore, and fearing the Ambushes of the Enemy, marched to Carthage in order of battel, but entred without resistance, having first put the Souldiers in mind what effects their moderation toward the *Africans* had produced; and admonished them to continue their good order, especially in Carthage. Passing directly to the Court, he fate down in *Gelimer's* Throne, and commanded his Dinner to be given him in the place where *Gelimer* was wont to make his great Feasts, by the *Romans* called *Delphica*, from a threefooted Table standing in the Palace at Rome, which served for the Emperour's Cupboard, first used at *Delphos*, and now at Constantinople, and thence wheresoever the Emperour's Table stood, they called the Room *Delphica*. Here the General dined with his Officers of that Provision which the day before had been made for *Gelimer*, whose Servants brought in the Meat, and waited at the Table, so that he attained (all circumstances considered) an Honour scarcely to be paralleld; moreover the Souldiers were not wont to enter into any Roman City, if but five hundred together, without some sudden disorder; yet did he so manage his Matters, that there was not the least infolence nor menacing word used. There was no interruption of Trade; but in a City newly taken, and full of Souldiers, in a State quite changed, all things ran in their former channel, not a Man having his Houfe or Shop either shut up, or molested. The publick Scribes assigned Quarters to the Souldiers by Tickets, who bought what they liked in the Market, as when all things are in deep silence and security, and not a syllable spoken of War.

56. Thus was the old Prophecy, frequently in the mouths of the Boyes, verified in *Africk*; that *Gamma* must expell *Beta*, and *Beta* should expell *Gamma* again; *Genferick* having first driven out *Boniface*, and now *Belisarius* having outed *Gelimer*. The General gave his word to the *Vandals* that were fled to the Churches, and took order for repairing the Walls of Carthage, which were so ruinous, that *Gelimer* did not think it safe to trust himself in the City. *Gelimer* in the mean time playing at small games, procured by money and fair words the Peasants to kill many stragling Slaves and Attendants upon the Army, who pilfered about the Villages, at the sight of their Heads much rejoicing, as at the loss of so many Souldiers. His Brother *Teazon*, who having arrived with his Fleet in *Sardinia*, at the Port of *Carnatu*, had taken the Town at the first onset and slain *Godas* with his Souldiers, hearing that the Emperour's Fleet was upon the Coast of *Africk*, but nothing of the Success. Therefore did he write to *Gelimer* a triumphant Letter, the Bearers whereof sailed into the Haven of Carthage without the least thought of an Enemy, and were brought by the Watch before *Belisarius*, who took their Letters, and dismissed them in safety. This Passage resembled another done much upon the same time in Spain, whither, before the arrival of the *Romans*, *Gelimer* had sent two Ambassadors to *Theudis*, Prince of the *Vifigoths*, about a League and Alliance. *Theudis* had heard all before, by reason of their slow Journeys, from a Merchant-man, who set sail from Carthage the same day, that the *Romans* entred it with a fair gale of Wind, and him he commanded not to divulge the News. When he asked the Ambassadors their business, and they propounded a League; he bid them go to the Sea-side, and there they should hear how their Affairs stood at home, which they taking for an idle Speech of a Man in drink, neglected it, returning no reply. But the day following, when they propounded the same thing, and had the very same answer, they perceived there was some great change in *Africk*; yet not imagining that any thing had happened at Carthage, sailed thither, and landing near the Town, fell among the Souldiers. Being brought to the General, they revealed their business, and were also dismissed without receiving any harm.

57. During these Motions and Changes in *Africk*, *Cyril*, whom *Justinian* had ordered to the assistance of *Godas*, came to *Sardinia*; but hearing what was become of him,

Enters Carthage

in wonderful
order and quick-
ness.

Under slain.

Tafu, *Tato*, *Taro*,
apud *Pasium*,
Taro apud *Pro-*
colum —
Alem. *Tafu*, *Tar-*
o caucator.
Gala *bonus*.

Theudis *bais*. *Pro-*
puls Imperant.

Defeats Gelimer.

Sect. 1. of him, he failed to Carthage, where he found *Belisarius* and the Roman Army victorious. *Solomon* the Assistant of *Belisarius*, such an Officer as the Romans called *Domeficus*, being an Eunuch not by design, but by accident in his swathing Clouts, was sent to the Emperour to give him an account of the Success. As for *Gelimer*, he made the best of the worst of Fortunes, in the Plains of *Bule*, near the Border of *Numidia*, and four days journey from Carthage, gathering together the *Vandals*, and such *Moors* as were well affected to him, though *Jews*, and without discipline. For their Governours throughout *Mauritania*, *Numidia* and *Byzacium* had professed by their Ambassadors their Service to the Emperour, some of them sending their Sons to *Belisarius* for Hostages, and desiring to receive from him Ensigns of Principality. It was an ancient Custome, that none might govern those *Moors* before he had received those Badges from the Emperour, yea, though he were an Enemy to the Romans; and taking them now from the *Vandals*, they did not esteem their Government firm and lucky. These Ensigns were a silver Rod gilt, a silver Cap, not covering the whole Head, but set upright like a Crown with silver Wire; a white Covering, fastened together with a golden Clasp over the Right Shoulder, in the manner of a *Thessalian* Mantle; a white Robe embroidered; and a gilt Shooe. *Belisarius* both sent them all these, and Money also, yet did they not join with him, but stood aloof as Neuters, watching the event of the War. *Gelimer* wrote a lamentable Letter to his Brother *Tzazon*, wherein having given an account how *Africk* was become a Prey to the Romans, through the cowardize and negligence of the *Vandals*, he desired him to quit *Sardinia*, and come to him with his whole Fleet. *Tzazon* and his *Vandals* with grief and lamentations obeyed his Orders; and when they came up to the Army on the Plains of *Bule*, so sad a greeting was betwixt them, as cannot be expressed, and as would have moved the Enemy with compassion and a sense of the slippery condition of Mankind. The two Brothers embracing each other, could not be parted, saying nothing but by tears, expressing their inward grief. In like manner did the others embrace them that came from *Sardinia*, being all struck with such consternation and amazement at the present posture of their Affairs, that what at another time would have been very important, was not now so much as thought of. For *Gelimer* neither enquired any thing concerning *Godas*, nor *Tzazon* after what had happened in *Africk*, although the Place where they now were, hinted those and such like things sufficiently to them. There was not a word spoken of their Wives or Children, they well enough perceiving that such as they saw not in that Place, were either certainly dead, or in captivity; with which words *Procopius* concludes the First Book of his History of the *Vandal* Wars.

58. Nevertheless, when a little time had disburthened their grief, and made way for consideration, *Gelimer* led them against Carthage, where he cut off the Aqueduct of the City, a Piece of excellent Workmanship; and after a little stay, when no Enemy sallied out, he retired, quartering his Men in the adjoining Towns, and blocking up the City, as he supposed. His Men expecting that the *Carthaginians* would betray it into their Hands, and looking upon the Country no otherwise than their own, kept very good order; they hoped that such Romans as were *Arians* would join with them, and by large promises invited the Commanders of the *Hunnes* to their side, who were nothing affected to the Romans, complaining that they had been trepanned into Constantinople by *Peter* the General. They agreed to the Proposals of the *Vandals*, and promised when they came to fight, to turn their Power against the Romans. But *Belisarius* having smelt out the Plot, first nailed to a Cross one *Laurus* a *Carthaginian*, convicted of Treason, and then so won upon the *Massagetes*, or *Hunnes*, by courtship, and inviting them to his Table, that he got out of them the whole matter propounded by *Gelimer*; and whereas the apprehension of two things disgusted their minds, and alienated them from the service of the Emperour; the one a Jealousie, that though the *Vandals* were subdued, they should not be dismissed to their own Country, but be worn out in *Africk*; the other, that their Booty should be taken from them; he by Oath assured them, that neither of these things should be done; and in like manner bound them by Oath to assist him with all alacrity. Having then by a Speech exhorted his Army not to suffer the Conquest which was even almost achieved, to fall out of their Hands, he sent out all the Horse, except five hundred, under Command of *John* the *Armenian*, to attack the Enemy as he should see occasion. He himself, the day following, with these five hundred Horse and all the Foot followed. The *Massagetes* resolved to keep their word so with both Parties, as to expect the event, and join with the Conquerours. The Roman Army overtook the *Vandals* at *Tricamar*, seventeen miles from Carthage, and encamping at a reasonable distance from them, about midnight

Gelimer makes the best of the worst of Fortunes.

Ensigns of principality amongst the *Moors*.

Procop. Hist. Vandal. lib. 2.

Sect. 1. midnight some of them were troubled at the sight of a great Prodigy. Fire seemed to fasten upon the points of their Spears, the heads of them appearing red and glowing hot. Those few that saw it were amazed, solicitous about the Event. But when the same happened afterward in Italy, they were encouraged, and took it for an undoubted sign of Victory and good success.

59. The next day *Gelimer* placed the Wives and Children of his *Vandals*, with all their Wealth in the midst of the Camp, which was not fortified by any Work, and then calling them together, propounded that object to them as alone sufficient to excite their Valour, the Contest being as he said not for Empire, Dominion or Honour; but what was their All, their utmost hopes and dearest Pledges. He caused his Brother *Tzazon* to use the same exhortations to his men apart, and then moving toward the Enemy about Noon, when the Romans took their Dinner, faced them upon the Bank of a Brook, keeping his men in good order. The Romans on the opposite Bank put themselves also in order, and so they stood facing each other a good while, till *John* by *Belisarius* his order with a few select men passed the Brook, and charged the main Body of the *Vandals*, but was so warmly received by *Tzazon*, that he was glad to retreat, being pursued to the Brook by the *Vandals*, who yet durst not venture over; *John* renewed the charge the second time, and was repulsed, but at the third onset had better Fortune, though the Barbarians valiantly received them, fighting only with their Swords according to *Gelimer's* Command. The Fight growing sharp many *Vandals* fell, and amongst them *Tzazon* himself, after which came on the whole Roman Cavalry, and passing the Brook charged the Enemy. Now was the Quarrel quickly determined, each one with ease routing his Opposite, which the *Hunnes* perceiving, according to their former resolution joyned with the Romans in the chase, though it lasted not long, the *Vandals* recovering their Camp, and the other not thinking themselves able to grapple with them in their Entrenchment. The *Vandals* lost eight hundred of their men, and the Romans fifty, who retired also to their Camp. But *Belisarius* when his Foot was come up, in the Evening marcht with his whole Army to the Camp of the *Vandals*, which *Gelimer* seeing, without speaking one word, or giving any directions, took Horse and fled toward *Numidia*, accompanied only with a few of his Domesticks and Relations, who covered all with a confused silence. When the *Vandals* perceived he was gone, and the Evening coming upon them, the men were in a tumult, the Women shrieked, the Children cried, and every one forgetting his natural affection for others, made what shift he could for himself. The Romans following the Chase all Night, killed the men they could reach, and made Slaves of their Women and Children. In the Camp they found so great a mass of Wealth, as never the like had been seen in any other. For the *Vandals* had long ransacked the Roman Provinces, besides what riches they had hoarded up for the space of ninety five years, out of the Commodities of that plentiful Country. But thus were they utterly defeated, and deprived of all they had scraped together, three months after the Arrival of the Romans at Carthage, at the end of December, in the seventh year of Justinian's Reign, of our Lord the DXXXIII, the Emperour himself the third time being Consul.

Belisarius again overthrows the *Vandals*.

60. The Roman Souldiers being so suddenly and unexpectedly become Masters of so great Riches, were intoxicated with their good Fortune to such a height, that they stragled up and down, wholly intent upon Plunder, not regarding the presence or authority of their General, so that had the *Vandals* rallied and come upon them, not one had escaped, and lived to enjoy what they scrambled for with such greediness. *Belisarius* having, with very much ado, reduced them to some reasonable Order, Commanded *John* the *Armenian* with all speed to pursue *Gelimer*, and such *Vandals* as were found in Churches, having given them assurance of their safety, he sent under Guards to Carthage. *John* after five days came up very near to *Gelimer*, but was deprived of his hopes of taking him, and his Life together, by one *Uliar* a Lancer of *Belisarius*, a drolling and drunken Companion, who shooting at a Bird upon a Tree, missed his mark but shot him into the Neck, of which hurt he died soon after; leaving a great miss of him both to Prince and People, such was his valour, virtue and moderation. *Belisarius* coming presently after, continued the pursuit as far as *Hippo Regia*, a Maritime City in *Numidia*, ten days journey from Carthage, where he heard *Gelimer* was got up to *Pappusa* a Mountain encompassed with Rocks, steep and almost impassable, inhabited by *Moors* his friends and Confederates. He betook himself to *Madenus*, an ancient City Situate on its utmost border thinking he was secure enough from *Belisarius*, who being not able to attempt the Mountain in that unseasonable time, and the settlement of affairs requiring

Pursues *Gelimer*.

Sect. 1.

Returns to Carthage where he receives Gelimer's Treasure.

requiring his presence at *Carthage*, left the Siege to *Pharas*, a valiant, prudent and virtuous man, and so much more remarkable, because an *Heralian*, it being rare to find any in that Nation that was not infamous for breach of Faith and Drunkenness. The General in his return had the Treasures of *Gelimer* delivered into his hands by *Boniface*, who was ordered in case of a defeat at *Tricamar*, to transport them into *Spain* whither the King intended to follow, but attempting so to do, was forced by contrary Winds and Tempests into the Haven of *Hippo*. Being come to *Carthage* he sent Forces to take in such places as had been under the *Vandals*, who possessed themselves of *Casfareia* in *Mauritania*, thirty days Journey from *Carthage* in the way to *Gades*, and *Hircules* Pillars, of the Castle of *Septa* one of the Pillars, with the Islands *Ebusa*, *Majorica* and *Minorica*. He reinforced *Tripolis* against the *Moors* that pressed upon it, sent *Cyrill* back to *Sardinia*, who by shewing the Inhabitants the head of *Trazon*, procured them to yield, and taking in *Corfica*, (anciently called *Cyrnus*,) made both Islands tributaries to the Empire. He sent some also to receive the Castle of *Lilybeum*, as having been in the Dominions of the *Vandals*; but the *Goths* refused to yield up any part of *Sicily*, and denied the Castle to have belonged to the *Vandals*. *Belisarius* angry herat, sent the Commanders a threatening Letter, to which the Queen Regent of *Italy* returned so pithy an answer, in so sweet and mollifying words, (affirming that *Theodorich* when he Married his Sister to the *Vandal* King, had onely given that People the liberty of this Mart Town) that he yielded to her resolution, of referring the matter to the Emperour himself, and standing to his determination.

Gelimer formerly distressed in the Mountain Pappus.

61. *Pharas* in the mean time growing weary of a Winter Siege, would needs try if he could get up into *Pappus*; but the *Moors* so demeaned themselves, that he was forced to retire with the loss of an hundred and ten men. Then did he block up all access to the Mountain by diligent Guards and Watches, whereby he brought *Gelimer* and his Relations, who were all delicately bred, to unpeakeable necessity and distress. For a vast difference there was betwixt the *Vandals* and those *Moors* that entertained them. The *Vandals* were the most effeminate Nation upon Earth, ever after their possessing of *Africk*, using their daily Baths and plentiful Tables, of the choicest things which Land and Sea afforded; most of them wearing Gold and Silk, and passing their time in Theatres, at Horse-Races and other delights, but especially Hunting. Masques, Plays, Musick, pleasant Groves and Gardens, and dalliance with Women were their ordinary Divertisements. On the contrary, these *Moors* were choaked up in close Huts both Summer and Winter, whence neither the extremity of Cold, nor violence of Heat could drive them. Lying on the Ground, they esteemed themselves excellently Lodged, if they got but a Sheepskin under them. And as their Lodgings, so their Clothing in Winter and Summer was the same; being no other than a thick coarse Mangle, and a shaggy Coat. Bread, Wine or any pleasant sort of feeding they used none, living on their Wheat, Barley and Rice, without any Boyling or other preparation, than Nature it self afforded, as other Animals. *Gelimer* and his followers, falling from their pleasant fare, to such harsh and irksome Diet, and now wanting necessaries too, could not hold out any longer, but esteemed Death most pleasant, and Slavery it self no base Condition.

62. *Pharas*, not ignorant of their distress, thought it seasonable to write to *Gelimer*, wishing him to consider with himself, whether it were not better to yield, and enjoy the dignity of a Patritian, with large Revenues by the favour of the Emperour, than thus to torment himself with so lingering misery? Nay whether it were not a Condition rather eligible to be a Slave among *Romans*, begging, than to Reign over the *Moors* of *Pappus*? At the sight of the Letter he bitterly lamented, and in his answer complained much that the Emperour should thus disturb him, by whom he was never injured in word nor deed, and he begged of *Pharas* that he would send him an Harp, a loaf of Bread, and a Sponge. This request *Pharas* knew not how to interpret, till the Bearer told him that the King longed to see a baked Loaf, having not beheld such a thing since he came to *Pappus*; that he needed a Sponge for one of his Eyes, which was swelled with Rheum, and that being skilfull on the Harp, he desired one to which he might sing a sad Ditty, composed by himself upon his present Calamity. *Pharas* touched with a sense of his misery, and the vicissitude of humane affairs, sent him the things desired, but blockaded him up closer than ever. Three Winter months were now spent in the Siege, yet nothing could Conquer him, till he feared the *Romans* would by degrees get up to him, and the sight of two Boys fighting for a newly baked Cake so affected him, that he presently wrote to *Pharas*, and promised to yield, on condition that *Belisarius*

Sect. 1.

Yield.

rius would give him assurance of so good entertainment by the Emperour, as in his Letter he had mentioned. *Belisarius* overjoyed at the News, as ambitious to prefer him alive to the Emperour, immediately dispatched away *Cyprian* the Captain of the Confederates towards *Pappus*, to give Oath to him for the safety of himself and his followers, and also that he should have an honourable Rank with the Emperour. *Gelimer* having yielded himself, was brought to *Carthage*, and there being presented before *Belisarius*, could not forbear Laughing. Some imagined he was distracted, through the excess of his misery. But his Friends affirmed him a man of quick apprehension, which, when he considered how from a King, so rich and powerfull, he was become no better than a Slave, poor and despicable, and that so suddenly, forced Laughter from him; the inconstancy of Fortune, and the slipperiness of humane Condition deserving no better. And indeed, scarcely did Fortune shew her power more than in this Captivity of *Gelimer*, who being the fourth Successour of *Genferick*, to a Kingdom flourishing with Wealth and Military men, was Ruined in six months time by five thousand Strangers, who had not so much as a place to Anchor in. For so many and no more were the Horse, who either by their Valour or Fortune did the whole business.

63. *Belisarius* acquainted the Emperour, how *Gelimer* was a Prisoner at *Carthage*, and craved leave that he might bring him to *Constantinople*, keeping him in the mean time in honourable restraint and preparing his Fleet. But some of the Inferiour Officers envying him the glory of this enterprize (as is usual in all great felicities,) accused him to the Emperour of Usurpation, who either despised it, or thought it best to dissemble, giving him his choice, either to come to *Constantinople* with his Prisoners, or to stay and fend them. He having discovered the Plot, was earnest for the Journey, that he might clear the Imputation, and be revenged of his Accusers; and when he had now taken Ship, the *Moors* of *Byzacium* and *Numidia* broke the Truce and waited the Country. He could not now come back himself, but appointed *Solomon* Governour of *Africk*, leaving sufficient strength for the Repression and Chastisement of the *Moors*, to which afterward the Emperour sent another Army with *Theodorus* a *Cappadocian*, and *Idleger*, who had Married the Daughter of *Antonina*, *Belisarius* his Wife. Being arrived at *Constantinople*, he was thought worthy of those ancient Honours which were given to Generals for the greatest achievements, and had been now discontinued for six hundred years, except when *Titus*, *Trajan*, or such Emperours led the Armies in Person, and Conquered some barbarous Nation. He triumphed, though not after the ancient manner, going a foot from his own House to the *Circus*, and thence from his Pavilion, to the Emperour's Throne, leading the Prisoners and Spoils through the City. Amongst the Spoils consisting of great Treasure and Royal furniture, were some Monuments of the *Jews*, which being brought to *Rome* by *Titus*, were amongst infinite Wealth taken thence by *Genferick* when he sacked the Palace, and were now, upon some words spoken by a *Jew*, how they could not continue but where *Solomon* first placed them, sent by *Justinian*'s order to the Christian Churches in *Jerusalem*. *Gelimer* wearing a purple Robe amongst all his Kindred, and the tallest and beautifullest of the *Vandals*, when he saw the Emperour sitting on his Throne, the multitude of Spectators on both sides, and himself in so great Calamity, made no lamentation at all, but still repeated that of the Preacher, *Vanity of Vanities, all is Vanity*. Being come to the Throne, they de vested him of the purple Robe, and caused him to fall on his face and adore the Emperour. The same did the General, who interceding in his behalf, he had Towns of good value assigned him in *Galatia*, where he was permitted to dwell, not being admitted a *Partitian*, because he would not change his *Arian* Religion. *Hilderick*'s Children had large means bestowed on them, as the descendants of *Valentinian*. Not long after, those Honours were added to *Belisarius*, which formerly had been proper to ancient Triumphs. Being made Consul, he was carried on the Shoulders of Captives, and drawn in a Chariot, from which he cast the Spoils of the *Vandals* amongst the People, which scrambling for Plate, golden Girdles, and other curious things of the Royal Treasure was much pleased, not onely for getting such things into their hands, but for beholding the Solemnities of their Ancestours revived; of which they had heard much but seen nothing. And so did they rejoice and care for the Conquerour at *Constantinople*.

64. Leaving the Triumph for the Conquest, let us, as it's more material, see how the Country of *Africk* was sealed, and under what Government. Before such time as it became a Prey to the barbarous Nations it was subject, as we have formerly seen, to the *Præfatus Prætorio of Italy*. But now *Justinian* having recovered it, and overjoy'd at so transcendent a Providence, resolved it should have a Prefect of its

The Government sealed in *Africk* by *Justinian*.

Sect. i.

its own, and gave the charge to one *Archelaus*, to whom he directs a Constitution under that title, therein making provision for his port and dignity. His Seat he tells him he will have at *Carthage*, and under him seven Provinces subject to their several Governours, whereof *Tingi* or *Zengia*, and (which formerly was *Proconsular*) *Carthage*, and *Byzacium* and *Tripolis* should be governed by *Consulares*, but the rest, viz. *Nemidia*, *Mauritania* and *Sardinia* (for this Island he joynd to *Africk*) by their several Presidents. He allowed him for his Attendance, and inferior Officers such as we have formerly described, serving in his Office and Service, three hundred and ninety six Persons. Then doth he expressly forbid all exactions upon the Subject, which as he saith he hates in all places, but especially abominates in *Africk*, so lately recovered from Captivity, that as yet it hath not had time to breathe. He appoints how much the Officers both Military and Civil, shall give for their Commissions, forbidding the Prefect's Servants to exceed the rate upon pain of Death, after which he settles the allowance to the Prefect himself, the *Consulares*, Presidents and all their Inferiour Ministers, ordaining that it should take effect from the first of *September* of the thirteenth Indiction. He concludes by giving strength and virtue to what the Prefect should ordain, according to this his Constitution, telling him that as for Military matters, respecting his Province he would provide by another Sanction.

Civil

65. This Sanction he directs to *Belisarius*, under the title of *Magister Militum* of the East, beginning it as the former, with a very pious and Christian Preface. He ordains first at what places the several *Duces* shall reside. He charges him that a continual Guard be kept at the Straits of *Gibraltar*, or the Castle called *Septa*, under a Tribune both prudent and faithfull, who upon occasion shall give notice to the *Dux*, and he to *Belisarius* of any motions; he would have also in the Straits mouth a certain number of *Dromones*, or swift Barks perpetually kept. In *Sardinia* he Commands him to settle one of those Officers called *Duces*, with a sufficient power to secure the borders against Barbarians, and gives expresse charge for recovery of the ancient *Roman* bounds, to which end he will have Souldiers that shall watch constantly upon the borders. He charges the Officers to Train and Exercise their men, not suffering them to straggle from their Ensigns, and forbids them the raising of any profit or advantage out of their Pay, upon pain of fining four times as much, besides cashiering. All violence towards the Subject, he severely prohibits. Gives power to *Belisarius*, to enlarge or lessen the Forts and Towns, upon the Frontiers as he shall see occasion. And then sets down how much every Officer shall be allowed, to commence from the first of *September* of the thirteenth Indiction, as also what shall be paid at the Offices of the *Præfæctus Prætorio*, and the *Magister Militum*, for recording the Emperor's Grants. He tells him he must appear at Court, as soon as he had set these things in order, which he charges him to do to all effects and purposes. This Law bears date on the thirteenth of *April*, when *Justinian* himself the fourth time, and *Paulinus* were Consuls, that is in the year of our Lord DXXXIII, and whereas it speaks of *Africk* as already Conquered, (though some of the ancient Limits were not yet recovered,) they are much out in their Chronology, who refer the taking of *Gelimer*, and the finishing of the War with him to the year following.

66. But the account which *Procopius* gives us of *Belisarius* his motions doth not very well suit with the Letter of this Law. The Law Commands him, as soon as he had settled the Countrey, to come away to *Constantinople*, the Historian saith, he either gave him leave to come or stay, as he had occasion. The date of the Law is but on the Ides of *April*, at which time according to the story of *Procopius*, *Gelimer* could hardly be taken, if he was defeated at the end of *December*, and held out in *Pappua* three months longer; and then what time must be allowed, for sending Intelligence as far as *Constantinople*? But as to this it may be said, that Intelligence might be sent to the Emperor, after the defeat of *Tricamar*, and the flight of *Gelimer*, by which *Africk* was Conquered, although not so certainly and securely, as after the Captivity of that Prince. More difficulty there is in reconciling what these Laws, and the late mentioned Authour have concerning the Taxes, and Impositions upon the People of *Africk*. In his Sanction directed to the *Præfæctus Prætorio*, *Justinian* expresses a great deal of tenderness and carelest his Subjects should be oppressed, who had lately groaned under the tyranny of the *Vandals*, strictly Commanding that no oppression be used towards them, by any of his Ministers, as it was his endeavour to take off the burthens from all the Provinces in general. But *Procopius*, as is pretended in his secret History, which he durst not publish in this Emperor's time, tells us that as

Ced. Justinian.
lib. 27. l. 1.
Pag. 50.

Dromones navigi
longioris & ad
cursum expediti
genua, vide lib.
19. Symlog. Cap.
dix. v. 1. 5.
Dromon contra-
rium Mafelin
cursum Navigii
genua, vide Zonar.
Tom. 3. in Ma-
ricis.

Glavia itaque sua
quæque hanc præ-
matam Janiti-
onem negram
statuunt accu-
sationis officii
mancipia obser-
vare præcipi-
at.

Licet enim per
omnes Provincias
nosras (De juve-
nitate) sollem-
niter ut illis ha-
beant Collatores;
maximè tamen
tributaris Dis-
cessus Affricæ
consulimus ut
post tantorum
periculum calami-
tatem meruerant
(De juvene)
per nos limine li-
beratis afficeret.
Ergo jubemus
omnes videntem
& omnes videnti-
um cellare, &
justitiam æque
veritatem circa
omnes nosras tri-
butarias referre
re. Sic enim &
Dei placidius
est.

Sect. i.

he harassed the Provinces Subject to the *Roman* Empire, so he endeavoured the recovery of *Italy* and *Africk*, for no other reason than that he might involve them also in the same misery and devastation.

67. That the Number of those, of whose destruction he was Authour, could no more be Summed up, than that of the Sand. As for *Africk*, though it was a Countrey so large, he so wasted it, that it was esteemed nigh miraculous, for one travelling there to meet with a man. Of the *Vandals* that bore Arms, there were eighty thousand men, besides an innumerable Company of Women, Children and Slaves. Of *Africans* living in Cities, in the Countrey and at Sea, so many as cannot be expressed, but of *Moors* a far greater Number. Now all these were destroyed with their Wives and Children: Besides a great part of *Roman* Souldiers, and those that came from *Constantinople*; so that in all, there perished above one million and five hundred thousand Souls in *Africk*. The cause of all this mischief was this. *Justinian* after the overthrow of the *Vandals*, took no care for securing these Countries, in the good will and affection of his Subjects. He suddenly recalled *Belisarius* upon a false accusation, and for such a Crime as that Man could not commit, it having never entered into his thoughts to usurp against him. Then that he might squeeze and spoil *Africk* at his pleasure; he let over the People cruel Taskmasters, and imposed on them unheard of Burthens, besides appropriating the best Lands to his own Domain. He prohibited *Arians* the exercise of their Religion, paid not his Souldiers, and disquieted the Countrey several other ways, whence Seditions and innumerable mischiefs arose, this being his humour never to be content with the present posture of things, but always innovating and confounding by his Innovations. Thus the pretended *Procopius* in his secret History, whose account how it agrees with the late mentioned Laws the Reader sees. The probability of these and other accusations, we shall examine when we come to this Prince his Character, proceeding in the story of *Africk* for the present, wherein let the Reader take notice, how far the certain *Procopius* his Narration at large makes out, what briefly is delivered in the secret History. As for the Impositions upon *Africk*, we may take his Note out of his History of the *Vandal* Wars, that the ancient Tributes being not to be found upon the old *Roman* Tables there, which *Genferick* had destroyed; *Tryphon* and *Eustratus* were sent in Commission from the Emperor to make a Tax, men whom the *Africans* found harsh and Intolerable.

Lib. 2.

68. We said a little before that the *Moors* seeing *Belisarius* embarked for *Constantinople*, broke the Truce and revolted, the reason and manner thus. When news was first brought into *Africk* of the Emperor's Fleet, they resorted to their Prophetesses, (for Women with them were the only Southayers) anxious about the issue, and esteeming their answers no less Infalible than Oracles. These Women foretold an Army from the Waters, and the ruine both of *Vandals* and *Moors*, when a *Roman* General should come without a Beard. Hereupon afraid, they renounced Friendship with the *Vandals*, and made a League with *Belisarius*, still intent upon the Success. The business of the *Vandals* being dispatch, they sent to spie in the *Roman* Army, if there were any Commander that had no Beard, where finding all well stored in that part, they thought, as they would have it, that the Oracle concerned not them but some after Ages, and longed to break the Peace; yet afraid of *Belisarius*, they despaired of success so long as he continued with the Army. When they saw him Shipped with his Guard and Prisoners, and the *Roman* Souldiers dispersed in Garrisons upon the Borders, and altogether unprepared they fell upon the *Africans*, killing the men, enslaving the Women and Children, and pillaging their Houses and Fields. Killing the Garrison Souldiers in *Byzacium*, and foraging the Countrey, *Aigou* an *Hunne* one of *Belisarius* his Life-Guard, and *Rufinus* a *Thracian* his *Bandophorus* or Standard-bearer with ten Troops of Horse, made head against them, and cut off many in a narrow passage, but were way-laid themselves by four Barbarian Princes, with many thousands of men, and being overpowered by Numbers, were defeated and slain. *Solomon* who had the charge of the *Roman* Army, hearing this news, knew not well how to carry himself. He first tried to convince the *Moors* of imprudence by Letters; but this having such success as was likely it should, he disposed of matters at *Carthage*, and marching into *Byzacium* incamped in *Mamma*, where the *Morish* Princes had intrenched themselves, and upon sight of his Army put their Battel into such order, as formerly *Cabaon* their Countreyman did, placing the Camels in a round, and their Women and Children in the middle. At the first Onset, the *Romans* were put into a confusion by the skittiness of their Horses, at the sight and cry of the Camels, which made them they

Upon Belisarius
his departure
the Moors revolted.

K 2

could

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Solomon defeats them.

could neither defend themselves, nor keep their ranks; the *Moors* increasing the tumult by darting their Javelins amongst them. *Solomon* seeing this, leapt from his Horse, commanded his men to doe the like, and keep their guard and good order, warding with their Shields against the Enemies Javelins. Then fell he himself upon the Round with five hundred men, giving command to kill the Camels. Some two hundred Camels being killed, the *Moors*, who stood between their Legs, ran away, and the Round was entered where the Women stood; at which sight, the Barbarians amazed fled up to the Mountain adjoining; and the *Romans* pursuing, killed about ten thousand of them in the chase. This done, and the Camp taken, the *Romans* marcht back to *Carthage* to celebrate their Victory.

Gives them another great Overthrow.

69. But *Solomon* was scarcely arrived at *Carthage* when the *Moors*, enraged at this defeat, made an universal Invasion, leaving none behind them; and having overrun the Countrey of *Byzacium*, and done all the mischief they could, encamped themselves upon the Mountain *Burgaon*. *Solomon* being come thither with his whole Army, would fain have drawn them down upon the plain ground, but they meant nothing less, dreading the thought of fighting upon so equal terms with the *Romans*. Therefore did he order *Theodorus* his Scout-master, without any noise, to get up by night into the Mountain, where it was most difficult to pass, with a thousand Foot, and in the morning to shew himself, and charge the Enemy. He himself also by night removed to the skirt of the Hill, and by Sun-rise both of them set upon the *Moors*; who seeing themselves engaged on both sides, despaired, and took them to their heels. Not daring to fly either to top or bottom, they ran headlong into a deep woody Valley, lying between two Rocks; and being a multitude in tumult and fear, threw down and killed one another, till the Valley being full of dead Bodies, the rest passed over upon them to the other Rock. The Survivors affirmed fifty thousand of their Countrymen to have perished. The *Romans* on the other side lost not a Man, received nor one hurt, but enjoyed the Victory intire and untouched. One of the four Princes, *Isidalas* by name, yielded to quarter. So great was the number of captive Women and Children, that a *Moorish* Boy was sold at the rate of a Sheep. And now with sorrow they called to mind what their Women had foretold, that their Nation should perish by a Beardless Man.

Some of them fool him.

70. Most of the Barbarians that were left in the Province of *Byzacium* would not there continue, for that being few, they feared to be oppressed by the *Africans*, but betook themselves to *Jabdas*, Prince of the *Moors*, inhabiting *Aurafum* in *Numidia*. *Jabdas* at this time invading *Numidia* with thirty thousand Men, made what work he pleased, being indeed the completest Man, and most valiant amongst the *Moors*. Several other Princes of his Nation envied him, and incensing *Solomon* against him, joined their Forces with his for attacking him upon the Mountain of *Aurafum*. An expedition they undertook together, and *Solomon* distributed Moneys amongst those his Auxiliaries to encourage them. But when they had travelled seven days together, and could not light on any Enemy, he suspected his Confederates, whom as *Moors*, he knew to regard no Oaths, nor Hostages (though their own Children) nor any League, but as fear and awe overruled them, and fairly retreated, as it was time, all provisions being spent, resolving at the beginning of the next Spring (for Winter was now come on) to return without any Auxiliary *Moors*, and better furnished. Wintering at *Carthage*, he provided Forces and a Fleet against the *Moors* of *Sardinia*, called by the Natives *Barbaricini*, who being at first a few, and confined thither by the *Vandals*, possessed the Mountains near *Caralis*, whence committing petty Stealths, at last they grew to a Body of three thousand Men, and then openly invading the Countrey, waited all before them. In these cares and employments he spent this Winter at *Carthage*, as *Belisarius* did in *Syracuse*, being in his Expedition into *Italy* against *Theodatus* and the *Goths*. Toward the latter end of this year, the Sun gave a fearful and prodigious Light, like that of the Moon, being without its clear and usual lustre, as if it had been eclipsed. The cause *Renatus Des Cartes*, a late learned Philosopher, ascribes to the increasing of his *Macule*, or Spots, which how they come to be generated at first, and increased to such a proportion, it is not proper for us here to declare; and the Reader, if he please, may consult that Author. But hence doth he solve many *Phænomena* in the Heavens. For this reason, he saith, many Stars appear now bigger or lesser than they are described by ancient Astronomers; and it is possible that a Star may be so covered by these *Macule*, as utterly to disappear, as for instance, the *Pleiades* were once reckoned seven, although at present fix onely be seen by us. Hence also a Star may appear suddenly to us, and either continue in its splendour, or return by degrees to its former darkness and obscurity, as it happened in the New Star in *Cassiopeia*, which appearing very

Princip. Phil.
soph. part. 3.
p. 112. Ed.
Amstelredam.
1656.
Sic referunt qui
dam Historici,
etc.

Sect. 1.

very glorious at the end of the year MDLXXII. failed in its light by little and little, and at last vanished in the beginning of MDLXXIV. So, saith he, do some Stars now shine in Heaven, which in time past did not appear; the cause of which is in this place more largely to be explained. But here we leave him in a road not proper to us, and return to our Historian, who assures us, that during this Prodigy Mankind was afflicted with Famine, War, and all other Mischiefs which contribute to Mortality. This was the tenth year of *Justinian*, the DXCCXI. of the ordinary *Æra of Christ*, the third of *Theodatus*, King of *Italy*; being not distinguished by any Consulship, onely noted thus, *After the Consulship of Belisarius*, in ancient Monuments, and famous for the beginning of the *Gothick War in Italy*.

The Soldiers in Africa mutiny.

71. In the beginning of the Spring, at the time of *Easter*, the Souldiers in *Africa* mutined upon this occasion. *Solomon* granted the Slaves and Moveables as booty to the Souldiers; but the Lands which were conquered, he annexed to the Exchequer, and the Emperor's Domain; by whom Souldiers, War, and all were to be maintained. Now the *Romans* having overthrown the *Vandals*, married their Wives and Daughters, who ceased not, with clamour and discontent, to tell them how unjust it was for them, who had formerly possessed the Lands by their *Vandal* Husbands, to be deprived of them now they had espoused the Persons and Interest of the Conquerours. Another thing was, *Justinian* the Emperour permitted to no Heretics the free use of Sacraments, or Churches, wherewith the *Arians* in the Army, being in number about a thousand men, and most of them *Heralds*, were enraged; especially because at the Feast of *Easter* they were neither suffered to baptize their Children, nor exercise any other usual acts of Devotion, in a publick manner. And as it happened, another accident there was which seemed to blow the coals of these Discontents. *Justinian* had, out of the *Vandals* which *Belisarius* brought to *Constantinople*, made five Troops of Horse, which he resolved should lie in Garrisons in the East, and spend their days there in the Wars against the *Persians*. Being shipped away for this purpose, four hundred of them coming upon the Coast of *Lesbos*, forced the Mariners to put into *Peloponnesus*; whence sailing into *Africa*, they landed in a desert place, and went freight to the Mountain *Aurafum*, and the Parts of *Mauritania*. The Mutineers herewith encouraged, combined together; and the *Arians* pricking them forward, resolved to kill *Solomon* in the Church on *Easter-day*, many of his Domesticks, because of the Lands, being in the Conspiracy. At the time appointed they made signs to one another, and had their hands on their Swords, yet either struck with reverence of the place and service, dashed at his presence, or overruled by a special Providence, they could not doe the deed, though they met again the second time for that very purpose, and reviled one another for want of courage. But now it being impossible but the thing must out, most of them withdrew out of *Carthage*, and falling upon the *Africans*, pillaged their Towns.

They chose Stroz as their General.

72. When *Solomon* exhorted those that remained in the City to continue faithful to the Emperour, at first they seemed to listen to him, till hearing what success their Fellows had in the Countrey, the fifth day of the Mutiny they reviled both him, and the rest of their Officers. They chose *Theodorus* the *Cappadocian* their General in his room, a man that was thought not to love him; and yet after they had killed the other *Theodorus* the Scout-master, and rifled the Town, he entertained *Solomon*, and brought him to a Ship in the Harbour, provided for him, wherein with *Procopius* the Historian, and five of his Retinue, having taken what care he could to reduce the Mutineers, and preserve *Carthage*, he sailed to *Belisarius*, now lying at *Syracuse*, to whom he related the accident, and desired his assistance for suppressing the Sedition. In the mean time the Mutineers, having plundered *Carthage*, made their Rendezvous in the Plains of *Bule*, and chose *Stroz* one of the Guard for their General; a courageous and active Fellow, who gathering together some nine thousand men in all, led them to *Carthage*, to which he sent a summons, requiring them to yield without more ado. *Theodorus* and the Citizens returned answer, that they kept the Town for the Emperour, sending one *Josephus* to him, formerly the Clerk of the Emperour's Guards, at present at *Carthage*, about some business from *Belisarius*; but him he put to death, and prepared for the Siege. The Defendants were thinking to yield, when *Belisarius*, attended onely by a hundred of his Life-guard, and *Solomon* with one single Ship arrived at *Carthage* about twilight, the Beliegers not doubting to have the Town the next day delivered up; upon which being intent, they passed all that night without taking any rest. But the next morning, as soon as it was day, and it was noted that *Belisarius* was come, they broke up the Leaguer, and ran away shamefully in great disorder. *Belisarius* reduced to obedience two thousand of them by good words; the rest he pursued

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fused as far as *Membrisfa*, a Town forty three miles distant from *Carthage*, where they both drew up, and prepared for fight; the General by the River of *Bagradas*, and the Rebels on a steep and ragged ground. They trusted to their numbers. He despised them as a foolish and undisciplined rabble. Both the Commanders encouraged their men with words fitted to the present occasion.

Belisarius goes
them to flight.

73. When they came to the Encounter, a strong wind blew in the faces of the Mutineers; which disadvantage considering they wheeled about, thinking that the Enemy would do so too, and that thereby they should gain the wind. But *Belisarius* seeing them open their Ranks, and fall into disorder, began the Fight, which they not expecting, ran confusedly together, and presently quite away into *Numidia*, where they rallied, having lost but a few men, and those of the *Vandals*; for *Belisarius* having but a small Army, thought it sufficient thus to send them going; and then giving the Camp to be pillaged by his Souldiers, wherein was found much wealth, and the *Vandal* Women, that had been the cause of the War, returned to *Carthage*, and thence, having taken order for *Africk*, and committed *Carthage* to *Ildiger* and *Theodorus*, into *Sicily*, where he heard that his Army also mutined. By this time, *Marcellus*, who governed *Numidia*, and other Officers, hearing that *Stotzas* was there, got their Forces together to surprize him, perceiving he was but with a few men at *Gazophylla*. He considering his danger, boldly goes amongst their men, expostulates with them for fighting against him, who stood for defence of their Rights and Liberties; he puts them in mind of the shortness of their pay, and how they were defrauded of the price of their blood and travels, bids them, if they should find good reason upon due consideration, kill him in that place; if otherwise, to take Arms and fight, not against, but for themselves. With this language he overcame, and brought them over to his Party; which their Officers perceiving, withdrew themselves into the Church near at hand. *Stotzas* having united the Forces, comes thither, promises them their lives; and when upon his faith they were come forth, perfidiously kills them. Their matters coming to the knowledge of the Emperour, he sent *Germanus* his Kinsman, a man of Patritian dignity, with a few others, amongst whom was *Symmachus* and *Dominicus*, both Senators; *Symmachus* with the title of *Magister Militum*, to manage the expence of the Army; and *Dominicus* to command the Legions in the room of *John*, who was lately deceased. Coming to *Carthage*, he found upon a Muster that two parts of the Souldiers were revolted, and a third only remaining in that and other Cities; wherefore he saw there was no fighting, and employed his time in courting the Souldiers with fair words and promises, whereby he so much did his business, that he drew in many of the Mutineers themselves, whom treating with courtesy, and giving them their full pay for the time they had been in Rebellion; at length got together such an Army, as to match the Rebels in number, and then prepared for a battle.

who overthrew
the Mutineers.

74. *Stotzas* also perceived it his interest to come to fight as soon as possible: For his men daily fell from him; and he hoped, that if he came near *Carthage*, he could entice them back to him again. Therefore did he march, and incamped near the Sea, about four miles from the City. But *Germanus* by a prudent discourse so settled the minds of his Souldiers, that every man of them became ambitious to swear the good affection he had to his General; and the Mutineers seeing that none came over to them, as *Stotzas* had warranted them, separated themselves in fear, and went into *Numidia*, where were their Wives and Booty. *Germanus* followed them, being very well prepared, and overtook them at a Town called *Scalæ veteres*, where coming to an engagement, his men at the beginning had the worst, till drawing his Sword himself, and calling upon his Guard to do the like, with much adoe he routed the Enemy on his side, and then galloping up to *Stotzas*, so encouraged and assisted his Troops, that they got the day. So great tumult and disorder there was in the Fight, that both sides using the same Language and Arms, and not differing in habit, or any other considerable thing, those that gave the chase killed their own Friends, till *Germanus* commanded his Souldiers to ask the word. He had his Horse killed under him; and being dismounted, and in danger, was hardly rescued by his Life-guard. *Stotzas* being fled, and the Enemy routed, he marched to their Camp, where finding much opposition, after a sharp fight, he sent a Party to another place, where the intrenchment was easily entered, and so those coming upon the backs of the Mutineers, he became Master of it. The Souldiers fell to plundering without any regard of the Enemy, or their General's orders, who fearing the Rebels might rally, stood in the Gate crying out, and complaining to no purpose. The *Moors* who had, according to their custom, stood a-loof, and expected the

issue

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issue, followed the Execution upon those that were worsted, and pillaged the Camp together with the Army. *Stotzas* at first trusting to them, rode up and desired them to restore the Fight, but perceiving how matters stood, after he had made head and attempted in vain to renew the charge, escaped with a few *Vandals*, and retired into *Mauritania*, where Marrying a Daughter of a Prince of the Countrey he remained. And so ended this Mutiny.

And breaks in
pieces another
dangerous De-
sign.

Solomon sent back
into *Africk*, Se-
ctes it.

75. After the suppressing of this Danger, another arose from one *Maximinus*, who endeavoured to renew the Mutiny, with a design to usurp and make himself Emperour. *Germanus* at first would not take any publick notice of it, for fear of driving him into some desperate Act, but sent for him, and made him one of his own Life-Guard, which employment he gladly undertook, not refusing the Oath of fidelity to the Emperour, always taken upon such occasions, because he thought he should have a fitter opportunity to facilitate his Design. But when the Souldiers began to assemble in a tumultuous manner, having an eye upon him, he caused him to be secured, which broke the neck of the Plot; for when they missed him, had none to lead them, and wanted the numbers they expected, they ran away, yet many were killed, and many taken. Such as had not time to join with them, put on other Faces, shewing as if they had known nothing of the Conspiracy, and *Germanus* was so prudent as to take no notice of them, nor make any farther Inquisition. But finding that *Maximinus* after the Oath of Allegiance taken, had been more busy in his design than formerly; he caused him to be Crucified under the Walls of *Carthage*, and so utterly broke in peices this treasonable Project. After this the Emperour called home *Germanus*, with *Dominicus* and *Symmachus*, in the thirteenth year of his Reign, and restored to *Solomon* his former Employment, giving him another Army. He so ordered his affairs, that he quickly settled *Africk* in a very quiet and peaceable condition, for he used great moderation, kept the Army in exact Discipline, and without any noise, removed all such as he knew to be Seditious, by sending them upon some specious pretext or other, either to *Constantinople* or to *Belisarius*, supplying their rooms with others, and banishing the remains of the *Vandals*, with all their Women. Having thus settled the Countrey, he made war upon *Jabdas* and the *Moors* of *Aurafum*, beat them out of *Zerbule* and *Tumar* two Castles, the later whereof he repaired, and left therein a Garrison to restrain their Rebellions. He took also the Wealth and Women of *Jabdas*, who fled into *Mauritania*, and forced the *Moors* into *Zebe* a part of that Countrey, the Metropolis whereof was *Sitiphus* tributary to the Empire.

Solomon slain.

76. Such was the prosperous Estate of *Africk*, under the prudent government of *Solomon*, which in the fourth year changed thus into misery and desolation. The next year after his Arrival, and the fourteenth of *Justinian's* Reign, *Cyrus* and *Sergius* the Sons of *Bacchus Solomon's* Brother, were sent to Govern, the one *Pentapolis* and the other *Tripolis*. To these came the *Leucathian Moors*, with an Army as far as *Leptis Magna*, under pretence of giving them presents and establishing a firm Peace. *Sergius* receiving seventy of them into the City, feasted them and gave them good words, but so it happened that jealousies arising from their deportment, they were all killed in the House, except one who escaping to the Camp incensed his Countrymen. They came to revenge the Fact, and were met by *Sergius* and *Pudentius*, with all the force they could make, who put them to the rout, and sacking their Camp got much Plunder. But the *Leucathians* would not so give it over, coming better prepared than formerly, and with them joynd *Antalas*, who till of late had been faithfull to the Romans, but now revolted out of displeasure against *Solomon*, for he had taken from him those provisions the Emperour had allowed him, and had put to Death his Brother, for raising a Commotion amongst the *Byzaceni*. He then undertook the Conduct of them against *Solomon* and *Carthage*. *Solomon* hearing this marched toward his Enemies, accompanied with *Sergius*, *Cyrus* and young *Solomon*, all of them his Brother's Sons, and met them at *Tebeste*, a Town six days Journey from *Carthage*. *Solomon* having in vain tried to persuade the chief of the *Leucathians* to lay down Arms, the next day defeated a party of them, and recovered great Booty they had taken, which when the Souldiers expected to have shared amongst them, he unadvisedly put them off till the conclusion of the War. Coming then to Fight, he was overpowered in numbers by the Enemy, so that his Army being routed, when he had to no purpose endured much hazard and trouble to renew the Fight, he was forced to flee. In full speed, his Horse stumbled, and down he fell. His Life-Guard set him up again, but being so disordered with the fall, that he was not able to hold his Bridle, he was overtaken and slain with many of his Guards.

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Sergius his Nephew succeeding him, Great disorders thereupon.

77. He being Dead, his Nephew *Sergius* by the Emperour's order, took the charge of the Province, unluckily as it proved. The Commanders were much discontented at it, being disobliged by his young, rude and insolent carriage; for, carrying himself high upon his Riches and Power, he was perpetually affronting one or other. The Souldiers slighted him as a Coward. The *Africans* hated him for his extraordinary avarice and lust; but especially *John*, the Son of *Sisinnius* an able Souldier and of great repute, was enraged, being subjected both to a mean and most ungratefull Perion. So that none of them would stir against the *Moors*. *Antalas* having this People at his Devotion, sent for *Stotzas* out of *Mauritania*, and yet wrote to the Emperour, letting him know how he had been injured by *Solomon*, who having now paid the price of his injustice, he was ready to submit to his Empire as formerly, provided he would remove *Sergius* from his Command, and send some worthy Governour in his room, as he was well assured he could not want many that were much more fit for the place than he. Notwithstanding, the Emperour would not remove him, though he sufficiently knew how much the man was hated, he respected the worth of *Solomon*, and pitied the manner of his Death so much. Therefore did great disorders follow. *Antalas* with his *Moors* and *Stotzas* every where committing cruelties upon the *Africans*, and sparing no Age nor Condition, inasmuch that the Countrey lay waste, the Inhabitants that remained alive flying some to the Cities and fortified Towns, others to *Sicily* or other Islands, and the best to *Constantinople*. None opposed these outrageous actions of the *Moors*: many *Roman* Souldiers followed *Stotzas*; some *Renegado's* and others, who had been Prisoners staying now with him out of choice. And *John*, whose name was famous amongst the *Moors*, being out with *Sergius* lay still and did nothing at all.

Areobindus joyned with him.

78. By these things, the Emperour was moved to take some farther care about *Africa*. Yet would he not for all this, put *Sergius* quite out of Command, but sending into the Province *Areobindus* a Senator, and a worthy Person, though no Souldier; he divided the Generalship, the Countrey and Souldiers betwixt them two, ordering *Sergius* to make War in *Numidia*, and *Areobindus* in *Byzacium*. *Areobindus* being arrived, when he heard how *Antalas* and *Stotzas* were incamped three days Journey from *Carthage*, sent *John* the Son of *Sisinnius* against them, with the flower of his Army, writing to *Sergius* to joyn with him, who disdainingly to be directed, and slighting the Business, *John* was forced with his small power to encounter an infinite number of Enemies. Both *John* and *Stotzas* to their mutual satisfaction, for they were irreconcilable Enemies, died in the Battel, besides *John* an *Armenian*, who with *Artabanes* his Brother, being of the race of the *Arfacides* had revolted to the *Romans*, and Commanded some of their Countreymen that came over with *Areobindus*. The Emperour was much troubled for the Death of *John*, and being convinced how inconvenient a thing it was to have two Generals, ordered *Sergius* to pass with some Forces to the Wars of *Italy*. But though he redressed one evil, yet another inconvenience wrought so much, as still to involve this Province in trouble and disorder. For *Areobindus* was so little versed in matters of War, that one *Gontharis*, who Commanded the Cohorts in *Numidia*, was encouraged to revolt and attempt the Sovereignty. To this purpose he procured the *Moors* to march against *Carthage*, and held secret Intelligence with *Antalas*, and *John* whom the Mutineers had made General in the room of *Stotzas*. *Areobindus* hearing of *Antalas* his motions, sent for *Gontharis* and the rest of the Officers to attend him at *Carthage*, and on the other side he practised with *Cutznas* who led the *Numidian Moors* to turn in the Battel against *Antalas*, and the *Moors* of *Byzacium*. But never suspecting *Gontharis*, he told him his design, and he thereupon revealed it to *Antalas*, who yet kept all things from *Cutznas*, for they hated each other, though with these clandestine designs, they fought in company together, each against him with whom he entertained Correspondence.

Sergius ordered into *Italy*.

79. But *Gontharis*, to bring about his Usurpation, first resolved to kill *Areobindus* secretly in the Battel, that he might not seem to intrude into the Empire, but rather that the Souldiers should put it upon him, without his seeking, according to the usual hypocrisie of Tyrants. This device succeeded not, because he could not persuade *Areobindus* to go out to Fight, therefore he concluded he was either to be frightened away to *Constantinople*, or openly Murdered. And when he had once discovered the Plot, he had fled indeed, if a sudden Storm and power of his own fate had not stopt him; but now constrained to make the best of it he could, he was advised by *Artabanes*, not to be dismayed at this presumption of *Gontharis*, but instantly

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Gontharis kills *Sergius*.

And kills *Areobindus*.

instantly to fall upon him before any farther mischief. This good advice he had no power to follow, but would needs fend first and feel the pulse of *Gontharis*, who owning the Usurpation, then at length he resolved to go out and fight. By this time the Usurper had endeavoured to possess the Souldiers with a belief or his Cowardise, and how he meant to defraud them of their pay; when *Areobindus* and *Artabanes* issuing out began the fight. The most part of the Souldiers being uncorrupted and issuing out from several Quarters, had easily made an end of the Tyrant and his Mutineers, but that *Areobindus* frightened to see men killed, being a fight he was not used to, like a Fool and Coward ran away and took Sanctuary in a Monastery within the Walls of *Carthage*, after which *Artabanes* and the rest retired, and *Gontharis* became master of the City, the Palace and the Haven. Then did he send *Reparatus*, the Bishop of the place, to *Areobindus*, to come to the Palace upon assurance of safety, who upon condition that the Bishop in *Gontharis* his name at the celebration of Baptism would by Oath establish his Security, came forth, and in a Garment called by the *Romans* *Casula*, besitting rather a Slave, than a Souldier, came to the Palace. Here taking the holy Bible from the Bishop, he fell at the Feet of *Gontharis*, holding out the Book, a Petition, and his little Son at whose Baptism the Bishop had sworn his safety, and conjuring him by all that was Holy to tell him whether he should have his Life. He promised him that the next day he would fend him away safe for *Carthage*, with his Wife and Goods, and having with much ado raised him from the Ground, entertained him at Supper with much Honour; but causing him to lie in a Chamber alone, and near at hand, sent some of his Confidants, who after his much weeping and wailing, dispatched him; which done, the next day he sent his Head to *Antalas*.

80. *Antalas*, his dissatisfaction with the Emperour being not great, was vexed at the Treason and perjury of the Tyrant, and concluding that he would neither keep faith with him nor any other, after much debate with himself, he resolved to submit to his Prince, and so march off, and drew to him *Marcentius* Commander of the Horse in *Byzacium*. *John* with his Mutineers, about a thousand men, revolted to *Gontharis*; and *Artabanes*, upon assurance of safety, came also to the Palace with his *Armenians*, professing all Service and obedience to the Usurper. But being of a generous spirit he plotted to kill him, animated and spurred on to this act, as a means of attaining immortal Glory, by *Gregorius* his Nephew, and *Artasiris* one of his Guard; and to cover his design, he undertook an expedition against *Antalas* and his *Moors* as he was ordered by *Gontharis*. *Antalas* stood him nor but ran away, and *Artabanes* turned about also and marched back, whom *Ulisheus*' a great Creature of *Gontharis* would have killed at his return; but *Artabanes* excused the matter, lest he should have lost the Army, *Marcentius* being in a capacity to have succoured the Enemy from *Adrametum*, and affirming it was safest that the Tyrant should oppose him with all his Forces. *Gontharis* took his advice, and resolved to lead them himself, leaving a Garrison in *Carthage*, under the Command of *Paphilus*, his chief Councillour who had been a Ringleader in the Mutiny of *Byzacium*, and his principal Assistant in the Usurpation. Him he ordered to murder all the *Greeks*, having every day himself killed some upon fear and jealousy, and having all things now in readiness, he thought good to Feast his Friends the night before his departure. *Artabanes* being invited amongst the rest, resolved upon it as a fit opportunity to execute his design against the Tyrant. Acquainting *Gregorius*, *Artasiris* and the others of his Guard with his purpose, he ordered them to get in with their Swords, it being the custome when the Commanders Feasted, to have their Guards stand behind them. *Artasiris* he would have done the deed when he saw it most convenient, and instructed *Gregorius* to bring some of their stoutest *Armenians* to the Palace with their Swords, (for they might not attend their Officers with other Arms) who should, (upon jealousy that their Captain was invited out of no good intention towards him,) desire to stand with the Guards of *Gontharis*. *Artasiris* cut Arrows in two, and thrust the peices round his Arme up to the Elbow, tying them with strings and covering them with the sleeve of his Coat, that he might receive any blow made at him upon his Arme, and fence it off from his Body.

81. He desired *Artabanes* that, if he saw the Tyrant was not mortally wounded, he would kill him, the said *Artasiris*, instantly, lest by torture he should discover him, and perishing basely himself ruine his Captain also; which said, he went with *Gregorius* and one of the Guard and stood behind him, the rest staying with those without, and expecting till they heard the cry within as they were directed. He had his hand upon his Scimiter, and would have done the deed at the beginning of the

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 the Feast; & that he was sloth by *Gregorius*, who in the *Armenian* Language told him that *Gonbarius* was yet himself, and had not drunk sufficiently. When he had drunk largely, and grew into a pleasant humour, he gave some Dishes of Meat to the Guard who then went out to eat it, leaving with him only *Ulitheus* and two others, and *Artasiris* went out with them, fearing he might not handfomely draw his Scimitar within; and being without he drew it, then covering it with his Clothes, he slept to *Gonbarus* as to lay something to him in private. But being come near to him, one of the waiters discovered his Sword, and thrusting him away cried out; with that *Gonbarius* turning about to look at him, *Artasiris* fetcht a blow and cut off part of his Skull, with his fingers he had laid crois his right shoulder in turning. Notwithstanding *Gonbarius* indeavoured to rise, which *Artabaner* perceiving stabbed him into the fide as he sat by him, and then did *Ulitheus* strike at *Artasiris*, whose device flood him in good stead; the peices of Arrows within his Sleeve keeping off the blow, so that he had no harm. He then killed *Ulitheus*, *Peter* one of *Solomon's* Guard who Supped there also, joyned with *Artabaner*, and they taking up the Swords of *Ulitheus* and *Gonbarius*, slew the two others of the Guard that were left behind, and then the *Armenians* hearing the Noife, rushed in and killed the *Vandals*, and the favourites of the Tyrant, who were placed upon other Couches in the same Room at Supper.

82. The Guards without perceiving what was done, joynd presently with the *Armenians*, having most of them belonged to *Areobindus*, and cryed out *Justinian* the Emperour, which Noife received by one Company from another, reached to most parts of the City. *Pappilius* and other Mutineers were killed in their Lodgings. *John* with some *Vandals* fled to a Church, but were taken out upon promise of security and sent to *Constantinople*; and thus was the City and *Africk* recovered, on the thirty fifth day of the Usurpation, in the nineteenth year of *Justinian*'s Reign, to the great renown of *Artabanes*. *Proiecta* the Wife of *Areobindus*, and Neice of the Emperour, richly presented him, and *Justinian* made him General of the Province; yet not long after, he was recalled at his desire, and *John* the Brother of *Pappus* succeeded him, who immediately defeated *Antalus*, and the *Moors* of *Byzantium*, recovering all the Ensigns which were lost at the Death of *Solomon*, but was again beaten by the *Leucathians*; and having lost many men, fled to *Laribum*. Then did they overrun *Africk*, which they wasted to the Gates of *Carthage*, and he, stirred up by anger and indignation, rallied his Souldiers remaining, and drawing in *Carzinas* and other *Moors* to his assistance, gave them a great overthrow, from which such as escaped, fled to the uttermost marches of *Africk*. Hereby it came to pass, that the Provincials in *Africk* being few and very poor, enjoyed at length some quietness. And here *Procopius* concludeth his History of the *Vandal* Wars in that Countrey, proceeding to the *Gothick*, which by this time had been carried on nine years in *Italy*. For thither *Belisarius*, as we hinted, was sent; upon what occasion, and with what success, now we come to shew from the first Original.

183. *Amalafuntha* the Daughter of *Theodorick* the *Goth*, who had Conquered *Italy* out of the hands of *Odoacer* and the *Hेरulri*, educated her Son *Athalarick* his Successour, after the manner of the *Roman* Princes, causing him to be instructed in Grammar and other principles of Ingenuity. This the *Goths* disliked, desiring he might be bred after the Barbarian way, upon which they could found greater hopes of liberty to spoil the People. The Mother at one time striking her Son for something he did in his Chamber, he went out into another Room and wept, where some of them seeing him, made a great business of it, railing on her, as if she desired to be rid of the Boy, that with his Patrimony she might Marry some other man, and Reign her self over the *Goths* and *Italians*. The Principal of them meeting together complained that their King was ill bred, that Learning was an Enemy to Valour, producing cowardly and base Spirits, and they objected the example of his Grand-Father, who did such great things without as much as knowing his Letters. They besought the Queen to dismiss his three Pedagogues, and to give him Companions of his own Age, who growing up with him might incline him to govern according to their own Laws, and this out of fear she was constrained to admit, though sorely against her mind. These Companions having some advantage of him in years, when he grew up drew him to Wine and Women, and made him so ill natured, undutyfull and disobedient to his Mother, that he deserted her in a faction, which had the impudence to Command her to retire from Court. Yet carrying a mind undaunted, and above the Condition of her Sex, she pickt out three of the chief, and confined them severally to the farthest parts of *Italy*, under pretence of securing the borders against the Enemy. But

holding for all this a Correspondence with their Friends and Relations, they stirred up the People against her, and the Faction grew so strong, that not able to bear up against it, she sent to *Justinian* to desire that, forasmuch as she was minded to quit *Italy*, he would give leave that she might repair to *Constantinople*.

84. The Emperour glad of the News, kindly invited her to undertake the Journey. But the intending it but as a Refrve, and a remedy for necessity, having procured those three persons to be killed, remained still at *Ravenna* and fortified her Government. However, things went still very crofs with her. *Theodatus* the Son of *Amalafrida* the Sister of *Theoderich*, a man in years, well skilled in Latin and the Doctrine of *Plato*, but utterly unpractised in Civil and Military matters, and excessively Covetous, being Lord of many Towns in *Tuscany*, oppressed the Inhabitants round about him, which humour the endeavouring to curb, he became much incensed and bitter against her. For a great Sum of money, and the dignity of a Senator, he plotted to betray *Tuscany* into the hands of the Emperour, dealing with some Ambassadors that were sent to the Bishop of *Rome*, from *Constantinople* for this purpose. By this time also the King her Son, was fallen into a Consumption through his Intemperance, which distracted her exceedingly, taking no comfort in him whilst he lived, and perceiving that if he died, she should be in extreme danger, because she had much incensed the Principal of the *Goths*. Upon the whole matter she resolved to save her self, by delivering *Italy* into the hands of *Justinian*, who, together with the Ambassadors that came to the Bishop of *Rome*, sent one *Alexander* a Senator under the same Character, to spie out her actions, wondering that the came not to *Constantinople* as she once intended. *Alexander* expostulated with her about several matters of no very great concernment, to which she openly returned a resolute and smart Answer, but secretly promised to deliver up *Italy* to *Justinian*, who understanding what was offered both from her and *Theodatus*, was overjoyed, and dispatched presently into *Italy*, one *Peter* an *Illyrian* by Nation, by Profession an Orator, but a man of a great reach, much mildness, and of excellent ability to perfwade.

85. In the mean time *Theodatus* upon evident proof, not only of oppressing his Neighbours, but intrusion into the Royal Domain, was compelled to make restitution, wherewith he was infinitely offended. About the same time also, *Arbalarick* died of his Consumption, after he had Reigned eight years, which put his Mother upon a new plunge. Without considering the Nature of *Theodatus*, and her late proceedings against him. To appease his mind, she offered him the Title of King, on condition that he continued in her former Power. He remembering how she had used him, swore what she pleased, with an intent never to perform it, and being in possession of the Kingdom, acted quite contrary both to her expectation, and his own engagements. For he made of his Council the Relations of those she had put to Death; some of her Friends he suddenly dispatched, and in conclusion Imprisoned her in a strong Castle, in an Island of the Lake *Vulsinus* in *Tuscany*. Fearing the displeasure of the Emperour, he sent some Ambassadors to persuade him that she had no harm, and caused her to write to the same purpose. The Ambassadors in their way met with *Peter*, who perceiving the Scene was quite changed in *Italy*, thereof speedily advertised his Master, and he thence resolved to take occasion to imbroil *Theodatus* and the *Goths*. Now he sent instructions to *Peter* publickly to own the cause of *Amalasuntha*, to whom he wrote Letters full of comfort, and of his resolution to take her part. But before *Peter* could reach *Italy*, the Kinsmen of those she had put to Death, persuaded *Theodatus* she was to be removed out of the way, without which neither he nor they could be in any safety, and therefore he consenting they went to the Island and murdered her, to the great grief of the rest of the *Goths*, who deservedly admired her for the excellency of her Virtues. *Peter* protested openly against the Fact, and declared perpetual War from the Emperour. *Theodatus* was so silly, as although he openly favoured the Murderers, yet to deny the Fact, to have been committed with his knowledge and approbation: Her Death happened in the DXXXIII year of our Lord, in the fourth Consulship of *Justinian*, who had *Paulinus* for Collegue, in which year *Marcellinus Comes* finished his Chronicon.

86. The Emperor being advertised of the Death of *Amalswintha*, redolv-
ed upon that occasion to make War with the *Goths*; the following year being the ninth
of his Reign, having lately Conquered *Gelimer* and the *Fandalis in Africk*; through
the Conduct of *Belisarius*. He Commanded *Mundus* the General of *Illyrium* to
march into *Dalmatia*, which was subject to the *Goths*, and attempt *Salona*. *Be-*
lisarius

Sect. 1.

Theodatus.
Theodabatus.
Theodabadiu.
Theudatus &
Theudatbus i.e.
Theud-ahz vel
Theod-ahr,
Populis aestima-
tus. Abi enim
Ahr idem (mn)

Amalasuntha his Mother purposeth to deliver up *Italy* to *Justinian*.

She procures
Theodatus to be
King upon her
Son's death.

And he caught
her to be Mu-
thered.

Thereupon *Justinian* resolves
to make *W*
upon the *Got*

*Vide Ep. si
cet apud Cay
var. lib. 10
e princip.*

Vide Baron

Sect. 1.

Belisarius he ordered to make himself ready, to Sail with a Fleet, aboard of which were four thousand Legionary Souldiers and Confederates, three thousand *Isaurians*, two hundred Auxiliary *Frumes*, and three hundred *Moors*, besides his Life-Guard, making him General with absolute authority. His Instructions were to pretend a Voyage to *Carthage*, but to attempt *Sicily*, which if he found easie, he should subdue it, and not quit it upon any account; otherwise to Sail away for *Africk*, without discovery of his Intent. *Justinian* courted the Princes of the *Franks* by good words and presents to joyn with him, using arguments drawn from the Heresie of the *Goths*, and their equal enmity to them. *Mundus* without much ado Conquered *Salonæ*. *Belisarius* easily reduced *Sicily*, onely *Panormus* stood out, the *Goths* presuming upon the strength of the place, and it was indeed by Land impregnable, but by Sea he attacked it, and had it delivered up by composition. This Success of his, *Peter* the Ambassadour made use of to terrify *Theodatus*, whose Heart failing him, in a secret Conference he came to this accord, to quit all pretensions to the Island of *Sicily*, to send the Emperour yearly a Crown of Gold, weighing three hundred pound, and three thousand fighting men when he should desire them. That he should not put to Death, or confiscate the Goods of any Priest or Senator, without the Emperours consent, nor advance any to the Degree of a Senator or Patritian, but petition him upon occasion to doe it, that in the Acclamations of the People, *Justinian*'s name should be first mentioned, and when ever *Theodatus* had his Statue erected, the Emperour should have another placed on the right hand.

87. *Theodatus* though he had subscribed the Accord, yet fearing that the Emperour might not accept of the terms, was much distracted in his mind, out of apprehension of a War which he infinitely dreaded. He sent back for the Ambassadour, now on his Journey as far as *Albania*, who discovering the terror he was in, so applied himself to his humour, that he was persuaded to resign the Kingdom to *Justinian*, having bound *Peter* by an Oath, not to discover this his Intent, till he perceived the Emperour would not accept of the former Capitulations, and with him he sent one *Ruficus* a Priest, and a man whom he much respected, and whom some will have the same with *Agapetus* the Roman Bishop. *Justinian* not admitting of the first Accord, they shewed him the second Agreement, whereby he was content for a yearly allowance of twelve Centenaries of Gold, to surrender the Dominion over the *Goths* and *Italians*, having no skill, as he said in his Letter, in the tumults of War, and being by his love to Philosophy, estranged from the noise of Battels, and preferring his Studies before a Kingdom. The Emperour ravished with joy, flattered him in an answer to his Letters, approving and extolling his high Wisdom, and adding to what he demanded, the chief Honours of which a Roman Subject was capable, sent *Peter* and one *Alexander* joyned in Commission with him, with Instructions to assign him Lands out of the Emperours Domain, by the Romans called *Patrimonium*; and having perfected the Agreement by Oaths and Instruments of Conveyance, to call in *Belisarius* from *Sicily*, to take Possession of the Countrey, to whom he sent Orders accordingly to go over.

88. During this Negotiation, an Army of *Goths* entred *Dalmatia*, and near *Salonæ* killed *Mauritius* the Son of *Mundus*, who went out with a few onely to view their Body, wherewith *Mundus* being much grieved, in great passion led his men without any good order against the Enemy, whom he clearly defeated, but giving the Chafe negligently, and without good consideration, (so much he was enraged for the Death of his Son;) he was Slain by one whom he pursued, according to a verse of *Sibylla* which the Romans now called to mind, that *When Africk should be recovered, Mundus and his Son should perish*, which they out of the ambiguous signification of the word, *Mundus*, interpreted of the World, and the whole fabrick of Nature. The Romans now having none to head them, retired home, and the *Goths* having lost their chief Officers, kept close in their Garrisons, for they could not trust to the Fortifications of *Salonæ*, nor to the Romans that Inhabited it. *Theodatus* now in the mean time, for all his Transactions with the Emperour, slighted his Ambassadours, being of so fickle and weak a disposition, as either to be depressed with greater fears, or elevated with higher Confidence than the occasion required. Exalted upon this misfortune of *Mundus*, he derided *Peter*, who expostulating with him for his breach of Faith, he publicly told him, that as Ambassadours are by all men much respected, yet they retain that privilege by moderation onely, it being not unusual for such an one to be put to Death, if he carry himself insolently to the Person of a Prince, or commit Adultery. He did not mean that *Peter* had lain with any man's Wife, but onely expressed the limits of his Privilege; however he and his Colleague net-

Mundus and his Son Slain in *Dalmatia*.

Africk captiv'd; *Theodatus* by consequence perishes.

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led hereat, admonished him not upon such frivolous pretences, to violate the Laws of Nations; told him that an Ambassadour, who could not have water to his hands without the knowledge of those that guarded him, could not be guilty of such a Crime. As for words, if he have in commission to speak them, he is not to be blamed, but his Master. That it is his part to doe that for which he was sent: that they therefore would utter whatsoever the Emperour had commanded them, were he angry or pleased; and again putting him in mind that it was high time to perform what he had sworn to, they told him they had, besides the Letters directed to him, others which they must deliver to the Principal *Goths* themselves. By these the Emperour promised that their union with him should tend to their benefit, and not at all to their disadvantage; and desired them to give credit and assistance to these his two Ambassadours, whom he had sent into *Italy* about this business.

Theodatus puts a guard upon *Justinian*'s Ambassadours.

89. He perused the Letters, but refused utterly to perform the agreement, and put a strict guard upon the Ambassadours. *Justinian* being thereof informed, sent *Constantianus*, Master of his Horse, to raise Forces in *Ilyrium*, and attempt *Salonæ*. *Belisarius* he ordered without delay to pass into *Italy*, and make war upon the *Goths*. In the mean time *Gripus*, who commanded the *Goths*, had entred *Salonæ*; but hearing a report that *Constantianus* had a far greater Army, both by Land and Sea, than indeed he had, he removed into the Champion Countrey; and then *Constantianus* seizing upon the Town, and his Fleet lying before it at Anchor, seven days after he arose, and transported his men to *Ravenna*. Now did *Constantianus* take in *Dalmatia* and *Liburnia*, the *Goths* submitting themselves, and so ended the Winter, and the first year of the War. *Belisarius* leaving Garrisons in *Syracuse* and *Panormus*, transported his Army from *Messina* to *Rhegium*, over that Strait where the Poets feigned *Scylla* and *Charybdis* to have been seated. Passing up the Countrey, where many daily came in to him, he fate down in *Campania* before *Naples*, commanding the Fleet, which kept all this while close to the Coast, to lie within a Bow-shot in the Harbour. The Castle in the Suburbs he took by composition; and then giving leave to the Citizens to send some to treat with him, or hear what he had to offer, they sent one *Stephanus*; to whom he offered many arguments drawn from self-preservation and liberty, pawning his Faith for as good conditions as the *Sicilians* had obtained. *Stephanus* making report hereof to the Commonalty, added his own opinion of the inconvenience of resisting the Emperour; but *Paflor* and *Afclepiodotus*, two Oratours, much devoted to the service of the *Goths*, on purpose to cross the Treaty, persuaded them to make such demands of *Belisarius* as they concluded he would never grant; and when contrary to their expectation, he had cloved with their Propositions, and the People commanded the Gates to be set open, they again persuaded them it was their interest to stand out; forasmuch as it was uncertain which Side would get the better: And though *Belisarius* should have that good fortune, he could not in wisdom so much blame them for being true to their trust, as hate and despise them for, either as Traitors or Cowards, forsaking their old Friends and Masters at the first onset.

Gripus the Commander of the *Goths*, quits *Dalmatia*.

Belisarius passes from *Sicily* into *Italy*.

90. Hereupon they defied *Belisarius*, who making several assaults, was as often repulsd with loss of many of his best men; the Walls, by reason of the Sea, and the steepness of the ground, being inaccessible. He cut the great Aqueduct which served the City; but this inconvenience was easily supplied by the Wells within, which furnished them with water sufficiently; so that he was much perplexed, considering the loss of his time, and that he must be forced to set upon *Rome* and *Theodatus* in the Winter. Resolving to rise, he had given out orders to the Army to dislodge, when a certain *Isaurian*, curious to view the structure of the Aqueduct, entering into it perceived, that if a passage, which was cut for the water through a Rock, was but a little enlarged, Forces might easily get through it, and surprize the City. *Belisarius* herewith acquainted, joyfully entertained the overture, and procured some *Isaurians* to widen the Passage, which they did not with Hatchets and Axes, but by filing off the Rock, lest they should be discovered by the noise. When all was ready, *Belisarius* sent again for *Stephanus*, and used all the arguments he could to persuade them to yield, telling them his Engines were ready, wherewith he should not fail to take the Town; but the People being still deaf to all advice of this nature, he provided him scaling Ladders, and then caused *Magnum*, a Commander of the Horse, and *Ennes*, Captain of the *Isaurians*, in the dead time of the night, with about six hundred men to enter the Vault, taking with them Lights, and two Trumpets to affright the City, and give notice to the General what they did. When they were within the City, they were at a loss, not knowing where to get up, till the foremost at last found the Roof uncovered at a place where stood a Cottage, in which a poor Woman

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man dwelt alone, and an Olive-tree grew at the top of the Arch. The Vault being high arched with Brick, and no steps at the hole, they found it impossible to climb with their Arms about them, till one laying his down, made a shift to clamber up, and threatened to kill the Woman if once she stirred. Then tying a Rope to the Tree, he cast the other end down into the Aqueduct, by which all the Souldiers mounted, one by one.

91. All being mounted, and the night now far spent, they made up to the Wall, and killed the Sentinels on the North-side, where the General stood expecting the event; who upon the signal of the Trumpets given, commanded the Souldiers to set to the Scaling Ladders. The Ladders were two short; but they tied two together, and so mounting the Battlements, easily took the City, and opened the Gates for the rest of the Army to enter. Great slaughter was made of all forts and conditions, especially by the *Massagetes*, who killed those also that had taken sanctuary in Churches, till *Belisarius* rode about and restrained the Angry Souldiers, bidding them take the Wealth, but spare the Owners; and let the Conquered find by experience how good Friends they had lost by the false measures of their own Councils. He caused all the other Prisoners to be released as well as the Women and Children; and reconciling the Souldiers to them, both made them Slaves, and restored them to liberty in one day; after which they recovered also the choicest of their Goods, having hid their Gold and things of value under-ground, which now they found upon restitution of their Houses. The *Gothick* Garrison, consisting of eight hundred men, he took into the Emperour's pay; and so ended the Siege of *Naples*, after twenty days continuance, as *Procopius* writes, who speaks much of the humanity of *Belisarius*; although some others, but those of no great authority, say he was grievously reprehended for his cruelty in this City by *Silverius*, the Bishop of *Rome*, and compelled to do penance, having put all the Citizens to the Sword, and neither spared Churches, Priests, nor the Religious Virgins. However, the *Goths* throughout *Italy* were exceedingly alarmed at his success, and more amazed at the stupidity of their Prince, who made no preparations for a Battel, suspecting that he betrayed the Country to *Belisarius* upon security of a quiet and idle life. Assembling at *Regeta*, a place thirty five miles distant from *Rome*, they chose one *Vitigis* for their King, a man of no eminent House, but become remarkable for his valour in the War, which *Theodorich* made against the *Gepidae*. *Theodatus* having the news, fled to *Ravenna*, whither the new King sent after him one *Optaris*, a *Goth*, (whom *Theodatus* had disoblged by hindring him from the marriage of an handsome and rich Maid he loved, by persuading her to marry another man) with orders to bring him either alive or dead. To gratify his own malice, as well as the jealousy of *Vitigis*, he so hotly pursued him, that he overtook him on the way; and being laid along on his back, killed him like a Beast ordained for sacrifice, as the Historian expresseth it, after he had reigned three years. Such was the end of this covetous, ingratefull, fickle and imprudent Prince, who in old Coins is called *Theodathus*, with a threefold aspiration according to the pronunciation of the *Goths*.

92. *Vitigis* to improve the advantage got by the death of *Theodatus*, imprisoned his Son *Theudegisclus*, marcht for *Rome*, and thence, having not things yet in readiness, to *Ravenna*, whence he thought he might best begin the War. Before his departure from *Rome*, he laboured much with *Silverius* the Bishop, the Senate and People to be true to the *Gothick* Nation, putting them in mind of *Theodorich's* Reign, binding them with the strongest Oaths imaginable, and taking most of the Senators as Hostages along with him. Having left a Garrison of four thousand men in *Rome*, and being come to *Ravenna*, he there by force married *Matasuntha*, the Daughter of *Amalasuntha* (a Virgin more beautiful than her name expresseth her) to strengthen his Interest by so near alliance with the Blood of *Theodorich*; then from all Parts did he assemble the *Goths*, and put them into a posture; those in *Gall* only excepted, for fear of the *Franks*, who he thought would certainly overrun both *Italy* and *Gall*, if he with his Army should march for *Rome*. Therefore considering how he should be utterly unable to grapple with the *Romans* and them at the same time he called his Officers together, and persuaded them to draw the *Franks* to their side, by giving up to them that part of *Gall* which *Theodorich* and his Successors had hitherto possessed, with a certain sum of money. The Princes of the *Franks*, *Childebert*, *Theudebert* and *Clotaris* divided the Country betwixt them, and took the money, entering into confederacy with the *Goths*, and covenanting to fend them aid; only having promised the Emperour to doe the same with him, they could not enter into an open war with him, therefore they would fend them

Takes Naples.

Virtig chosen King by the Goths.

And Theodatus murdered.

Virtig draws the Franks to his Party.

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them Succours, not *Franks*, but of the Nations subject to them. *Belisarius* in the mean time put Garrisons into *Naples* and *Cuma*, the only strong Places in *Campania*, and set all things in order for his march to *Rome*; which the Citizens understanding, and fearing the Torture of the *Neapolitans*, resolved to receive the Emperour's Army, persuaded to it by *Silverius* the Bishop especially, notwithstanding the Oaths formerly made to *Vitigis*. By one *Fidelius*, who had formerly been *Quæstor* to *Athalarick*, they invited him to come and take possession of their City; in compliance with which offer, he led on by the *Via Latina*, leaving the *Via Appia* on his left hand. This *Via Appia*, or *Appian* High-way, so called from *Appius* the Consul, who had caused it to be made nine hundred years before, reached five days journey from *Rome*, to *Capua*. A thing worthy of special remark, being broad enough for two Carriages to pass a-breast, paved with Stones all of the Mill-stone Quarry, and exceeding hard, which he had procured from foreign Countries. They were smooth wrought, equal, and so close fastned, yet without any Brails, or other ligament, that one would have thought them all of the same piece, or grown together. After so long a time wearing by Beasts and Carriages, there was not the least chink or hole made in the Pavement, nor any one Stone broken, or worn out; nay that had as much as lost its shape and splendour in the days of *Procopius*.

93. In the eleventh year of *Justinian's* Reign, on the ninth or tenth day of *December*, A. D. DXXXVII. full sixty years after it had been taken by the *Heraldi*, and the thirty fourth after its captivity by the *Goths*, was *Rome* retaken by *Belisarius*, who entering it at *Porta Asinaria*, at the same time the *Gothick* Garrison issued out at the *Porta Flaminia*, being not able to make any considerable opposition. The Keys, together with *Leuderis* the Governour, who staid behind, he sent to the Emperour, and then applied himself to the repairing of the Wall, and other Fortifications, wherein he was very much commended, both for his skill and industry. But the Citizens murmured much, and wondered that he should look upon *Rome* as a place fitted for a Siege, being neither situate upon the Sea, nor having Walls (which were huge in compass) at all convenient for making defence, nor seated upon any Rock or Mountain naturally fortified, but in an open Champion, liable to all assaults. Yet still did he prepare for a Siege, storing up Corn in Granaries, which he caused to be transported out of *Sicily*, and compelling the *Romans*, though fore against their wills, to bring in all the Grain which their Farms afforded, with other things necessary for humane life. The Inhabitants of *Calabria* and *Apulia* had before this time, both in the Mediterranean and Maritime Coasts, submitted themselves to the General, which example *Pitzas* a *Goth*, now following, surrendered half *Samium*, lying upon the Sea, with the *Goths* inhabiting as far as the River which divides the Country, those on the other side refusing to be guided by *Pitzas*, or to give up themselves to the Emperour. *Belisarius* having taken in those Places with all the territory of *Rome* to the *Tiber*, and having put it into a very good posture, ordered *Constantianus* to take in the Cities of *Tuscany*. He had surrendered to him *Spoleum* and *Perusia*, with other Towns; at which time one *Bessas*, a *Goth*, but of the Emperour's Party, and an excellent Souldier, took in *Narnia*. An Army sent to *Vitigis* he destroyed almost every man; after which this *Gothick* King would not stay any longer at *Ravenna*; but sending Forces to recover *Dalmatia*, prepared for a march against *Belisarius* with no fewer than a hundred and fifty thousand men. For hearing how small his Army was, it repented him that he had left *Rome*; and therefore now in great anger and disdain, he resolved to return thither, fearing nothing but that *Belisarius* would run away.

94. *Belisarius* indeed, hearing that the whole power of the *Goths* was coming upon him, could not but be much concerned, having so unequal a number to make resistance; and he durst not abandon the Places of *Tuscany*, by calling back his Forces, lest by possessing them the *Goths* should block up *Rome*. He sent orders to *Bessas* and *Constantianus* to leave competent Garrisons in them, and then come to him, which *Constantianus* speedily did; but *Bessas* staying longer to settle *Narnia*, (a City distant about forty four miles from *Rome*, situate upon an high Hill, near the River *Narus*, over which it had a Bridge, with the highest Arches *Procopius* ever saw, and from which it received its name, being called by *Livy* and *Pliny* *Nequinum*; concerning which *Tully* wrote that dry weather made it dirty, and rainy weather dusty) fell upon the Forerunners of the *Goths*, of which he routed and killed a great number; then being prest upon by their multitudes, he retired into *Narnia*; and leaving therein a Garrison, came and brought news to *Rome* that the Enemy would speedily be with them. *Vitigis* would not spend time upon the Towns

The Via Appia.

Belisarius enters Rome.

Vide Bar. Annal. ad Ann. 534. & 536. Tom. 7.

Wittichus vulgo Vitigis, sapisus ex foris. Grat. Theod. gliss. Epist. Ieron. com. 7.

Matasuntha, Medocris pal. christiana.

Sect. i.

Towns in *Tuscany*, because they were well provided, and out of a vehement desire to take *Belisarius* before he should run away. Within a mile and three quarters of *Rome*, *Belisarius* had upon the Bridge of *Tiber* built a Fort, and therein placed a Garrison to give the Enemy some stop, till the *Romans* might bring in sufficient Provisions, and till such time as he could receive from the Emperour those additional Forces he expected; for he conceived that the *Goths* repulsed here, could not pass by any other Bridge in twenty days, and to get Boats together would require a longer time. He thought fit also to incamp some of his men near the *Tiber* to hinder the Enemies passage, and make some trial of their Courage. But those that watched upon the Bridge affrighted with the multitude of the *Goths*, fled by night into *Campania*, and the day following the Enemy brake down the Gates, and passed over without opposition, till *Belisarius* met with them unawares, who knowing nothing of what had happened, marched with a thousand Horse toward the Bridge to view the Ground where he might best incamp his Souldiers. At this time, however formerly cautious, he ventured himself farther than the nature of his place, and the present posture of Affairs required, fighting in great danger at the head of his men. By some Fugitives he was made known to the Enemy, who, neglecting all others, shot at him alone, and laid at him with their Swords and Lances. He gallantly demeaned himself, killing all within his reach; but had undoubtedly perished, had not his Lancers and Targetiers shewed that day unparallel'd valour, holding their Shields before him, receiving all the Arrows, and thrusting off the Multitude by main strength. He lost at least a thousand on his part; and amongst them, many of the choicest of his Retinue, yet he himself was neither wounded nor shot, though the Controverſie of the day was onely about his own Person.

A great Action
betwixt *Belisarius*
and the *Goths*
near *Rome*.

They besiege
him in *Rome*.

95. In conclusion, the *Goths* were routed, and driven to their Camp, which when they had entered, they made head against the Pursuers; and their Foot being fresh, easily repulsed them. The *Romans* finding no access here, and perceiving another Party of Horse to make toward them, retired to an Hill, whence they were forced down, and pursued by those they had lately chased to the very Gates of *Rome*. Here they were in greater distress than ever; for those within, fearing that the *Goths* would enter pell mell with them, would not open the Gates, though the General himself called and cried to them, whose Face they could not discern in the dusk of the evening, being also besmeared with blood and dust, and his voice was as little distinguished, because they had taken it for granted that he was dead from the report of such as first of all ran away. They were driven up into a narrow room, and violently charged, which put *Belisarius* upon a sudden and bold resolution, to encourage his men, and to give the onset upon the Pursuers, who were much disordered; and his design so far took, that the *Goths* imagining this could not happen, except those within the City sallied out also upon them, in a fear ran all away, *Belisarius* not suffering his Souldiers to give the chase, but procuring as speedy entrance into *Rome* as possible. A day or two following was the City half unaccompanied by the Enemy, who lying on both sides of *Pons Milvius*, and thereby having free access to the River, made war in what part he pleased. The Aqueducts, fourteen in number, being most stately Brick-works, so deep and broad, that a man might easily enter them on horseback, they broke and rent in pieces, to cut off the water from the Town. On the other side, *Belisarius* omitted nothing becoming a prudent and wary Governour for defence of the Place. To supply the defect of water now wanting to the Mills, he caused strong Cables to be drawn cross the River, and fastned on both sides near the Bridge, being stretched out so as to be very stiff. To these Cables he tied Boats at two foot distance, where the stream ran strongest through the Arches, and placing in each Boat a Mill-stone, hung the Engine, which was to turn the Mill, betwixt the Boats. Beneath these, in the same manner, he caused other Boats to be tied at a proportionable distance, fitting them also with the like Engines, whereby the Mill-stones were set on work, and the City was abundantly supplied. The *Goths* informed of this Device, cast Trees and dead Bodies into the River, that being carried down the stream, they might break, or at least disorder the Engines; but for this *Belisarius* invented a sufficient remedy, by drawing Iron Chains before the Bridge, which not onely should intercept what ever could annoy the Mills, but to prevent the entrance of the Enemy that way into the City. To provide also against any surprize by such clandestine entrance, he fortified the Aqueducts for a good space, where they opened themselves into the City. As for the Common-sewers, he needed not secure them, because they had all their Mouths into the River.

96. Not-

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96. Notwithstanding, the Inhabitants of *Rome* not used to want and hardship, bore the Siege and restraint of their liberty with great impatience, assembling together in a tumultuous manner, and railing at *Belisarius*. This being understood by *Vitigis* in the Camp, to exasperate them the more, and drive them into a perfect mutiny, he sent into the Town certain Messengers, who in presence of the Senate and Commanders of the Army should upbraid the General with temerity and presumption; and vaunting much of the power and bounty of their King, offer to him and his Army a safe retreat; and free passage both for themselves and their Goods. But the awe and reputation of *Belisarius* easily overweighing all his Arguments; and perceiving the man was not to be frightened, he resolved to assault the City. For this purpose he caused to be made Towers of wood, equal in height with the Walls, and set upon Wheels to be drawn to and fro upon occasion. He provided himself of many Scaling Ladders, and of four battering Rams, of which Engine, because we have not formerly spoken, we shall here present the Reader with such a description of it, as we have it from *Procopius*: Into four wooden Posts of equal size, and opposite to each other were mortised eight cross Beams, four above, and as many below, resembling a Room of quadrangular figure, which instead of a Roof and Walls, was covered with Hides, both that it might be easier of carriage, and better defend those that were within it from any violence. Within the Engine was hung another cross Beam with loose Chains, the upper end whereof was sharpened, and armed with Iron in shape of an Arrows head, and sometime four square, resembling an Anvil. This Engine was mounted upon four Wheels, fastned to the four upright Beams, requiring fifty men at least to move it, who having set it to the Walls, drew back the loose Beam with Pulleys, and then let it go again with such violence, that by its reiterated strokes it easily broke down and demolished whatever stood within its reach; having the name of a Ram from the end of the said Beam which resembled the Horns of that Creature.

A battering Ram
described.

A *Balista*.

Other Engines, as
Wild Asses,
Wolves

prepared by
Belisarius for
defence of *Rome*.

97. *Belisarius* studying the best ways and methods how to make defence, placed upon the Towers another sort of Engines called *Balista*, to keep off the Besiegers. These were made in form of a Bow, having on the nether part a moveable Hook, lying upon a straight piece of Iron. Having bent the Armes or Horns of the Bow with a Cord from the Hook or Nut, they let fly the Arrow, which was but half as long as those of the ordinary fort, but four times as thick, having no Feathers to facilitate its flight, but certain thin pieces of Wood, which being fixed to its sides, together with an head of Iron suitable in bigness, gave it the perfect shape of an Arrow. The Bow being bent with Pulleys, the Nut drew back, and then out flew the Arrow with such violence, that it would reach twice as far as another; and if Tree or Stone stood in its way, down it went most certainly; which force and strength of shooting gave it the name of *Balista*. Upon the Battlements of the Walls was another sort of Engine placed for flinging of Stones, which they called *Wild Asses*; and at the Gates such as they termed *Wolves*, made after a fashion which something resembled Portcullises. Upon the ground they erected two Beams which reached as high as the Battlements. On these they laid wrought pieces of Timber chequer-wise, some freight, and some across, joining them so together, that the distances betwixt the pieces served for holes, or open places. Upon each joint stuck a piece of Wood, pointed like a thick Spur. They fastned the cross Timbers to other Beams but half so long, and from the top reaching but half way down; then laying the Beams flat-long upon the Gates; when the Enemy approached, they drew a little down the higher Beams, which then falling flat with the wooden Spurs upon the Assailants, flew without fail all they lighted on. Such were the preparations *Belisarius* made for defence of *Rome*.

98. His *Balista* did such execution, both upon men and the Oxen which were to draw the Engines to the Walls, that the *Goths* having made an assault on the 18th day of the Siege, were forced to retire from the *Porta Belisaria*. But *Vitigis*, though here repulsed, left a good part of the Army to divert the General, by plying the Battlements with Shot at a distance, and resolved to attack another Part called the *Favarium*, or Park, lying near the *Porta Praenestina*, where the Walls were most assailable. Another Party of *Goths* gave the onset at *Porta Aurelia*, without which stood *Adrian's* Tomb, a Place but slenderly guarded, both because *Belisarius* thought there was no great need of it, the Wall being strong in this part, and the River running under it; and the Emperour's Army being but five thousand, at the beginning of the Siege he was constrained to distribute his men to the most necessary Places. The Assailants being covered by the *Porticus*, which then reached to Saint *Peter's* Church, were not discovered by the Defendants, till they were got very near,

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which

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which rendered the *Balistræ* of the Romans useless; and from the ordinary Arrows they secured themselves with their Leather Bucklers, which much resembled the Persian Targets. Pressing hard forward, and plying the Battlements with their Shot, they had almost incamped the Tomb, and were ready to set to their Ladders, which so far discouraged the Besieged, that they despaired of resistance, till they took a resolution of tumbling the Statues and great Stones which stood upon the Tomb, on the Enemies head, who was hereby forced to give ground, and then the Romans taking courage, repelled them without much labour. They attempted also *Porta Pancratiana* upon the River, to no purpose; but that Place, which of all others had been most for their design, they utterly neglected. This was a part of the Wall betwixt the two Gates, *Flaminia* and *Pinciana*, which had of a long time been broken down half way from the top; and *Belisarius* at his first coming went about to repair, but the Romans hindered him, alleging that the Apostle *Peter*, whom above all they revered, had promised to protect the Place. And their expectation, faith our Author, did not deceive them; for the Enemy, during all the Siege never approached it, to the great wonder of the Defendants. And no man since that time hath been so bold as to repair it, the Wall remaining in the same condition, and broken as formerly.

99. In the mean time *Bellar* and *Peranius* being hotly charged by *Vitigis* at the *Vivarium*, or Park, sent for *Belisarius*. Long before this time the Romans perceiving the ground here to be flat, and the Wall decayed, had compassed it with a Flanker, not only for defence and safety, but for pleasure, as keeping of Lions, and other wild Beasts, whence it had its name. It had no Battlements, nor any other Fortification; and therefore *Vitigis* ordered his Engins to be brought hither, and doubted not, but if he could break through the Flanker into the Park, to carry the City, the Walls within being of no moment at all. Yet did *Belisarius* suffer them to break in, and then sending *Cyprianus* upon them (who did great execution by reason of the straitsness of the Passage whereat they entered) sallied out against the Goths with his whole Army, set fire to their Engins, and charged them with such violence, that he put them to flight, having taken care that at *Porta Salaria* should at the same time be made another Sally; so that as they ran from one place, they were unexpectedly received at another; and being both assailed by the Pursuers, intercepted by others that lay in wait for them, and plied with continual Shot from the Battlements, thirty thousand of them were slain, and more wounded, the business lasting the whole day. This Success exceedingly encouraged the Defendants, but the General knew this would not do the work. For the Goths were still twelve thousand strong; and *Vitigis*, he doubted not, understood so far his Interest, as to dread being baffled in this his design. Knowing that the Siege was like to continue long, he wrote to the Emperour for new supplies. The useless Multitude he sent out of the City, some into *Campania*, some into *Sicily*, or elsewhere, as they could be best disposed of; and because his Souldiers were so few, that all parts of the Wall could not be guarded, and they must needs be spent with continual duty, he lifted the poor Artificers who had no means of subsistence left them, and mingling them with the Souldiers, allowed them daily pay, whereby he provided both for the indigent Inhabitants, and the relief of his sick and wounded men. Having some suspicion that *Silverius* the Roman Bishop practised to betray the City, he sent him away into *Greece*, and soon after placed *Vigilius* in his Chair. Upon the same account he banished certain Senators, whom after the retirement of the Goths he recalled. Fearing designs upon the Gates, he broke the Keys twice a month; every night he changed Sentinels, as also their Officers who walked the round, with the names of the Sentinels in writing, having orders to place new ones where they found any missing; and the day following to produce such as had made default to receive their punishment. He caused Musicians to play all night upon the Battlements. And sent out *Moors* to lie with Dogs about the Ditch, to discover such as came toward the Walls.

100. *Vitigis* finding himself overmatched, broke out into a rage, and caused all the Roman Senators, whom at the beginning of the War he had brought to *Ravenna*, to be put to death, two only excepted, *Gerbertius*, and *Reparatus* (Brother to *Vigilius*, Bishop of Rome) who having timely notice of it, withdrew themselves into *Liguria*. Perceiving that the Besieged had free passage and traffick, as well by Sea as Land, he resolved to take in *Portus*, or the Roman Haven, lying at thirteen miles distance, at the Rivers mouth; and this he easily did, the Place having none to defend it, although three hundred men would have made it good, by reason of its strength: but *Belisarius* wanting Souldiers to defend Rome it self, could

not

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not possibly spare any Garrison for it. When it was but a little too late, about twenty days after came a supply from the Emperour of sixteen hundred Horse, under command of *Martinus*, and *Valerianus*, most *Hunnes*, *Slavonians* and *Antæ*, seated beyond the River *Danubius*. With these he resolved to make war upon the Enemy, and so managed his business with that industry and rare sagacity, that in three gallant Sallies he killed about four thousand Goths, and a little after cut off near a thousand more, whom their King, in imitation of *Belisarius* his conduct, had sent at two several times towards the Walls, by such small Forces to indamage the Besieged. *Vitigis*, besides the inequality of the match betwixt him and *Belisarius*, had this great disadvantage, which, though the other understood very well, he never considered. Almost all the Romans, and the Auxiliary *Hunnes* were Archers on horseback. The *Gothick* Horse used only Lances and Swords, and all their Archers fought on foot, incircled with their heavy armed men. Hence it came to pass that their Horsemen, unless they came to hand-strokes, could do no service, but were easily shot and ruined, and their Foot could not make incursions against the Enemies Horse. The Goths feeling the effects, though they understood not the cause, would no more approach the Walls, nor pursue the Enemy any farther than to drive them from their Trenches. The Romans on the other side were elevated with their prosperity, and grew so resolute and gay-humoured, that scornful to carry their business as formerly by sallies and surprize, they would have the War managed in a brave and open way, and longed to come to a general Battle.

101. *Belisarius*, knowing well what odds there were against him, could not approve of any such design, till wearied with the exclamations, both of Citizens and Souldiers, at length he resolved upon a Battle; yet so as he would begin with Excursions. He often attempted this way, but without success, which made him fully determine to fight openly; and the Goths being informed by Fugitives of his design, were not a little pleased, being quite out of heart, by reason of his stratagems, and hoping not to find him the same man in a pitched and open Battle. Having prudently signified to his men the change of his Resolution, and exhorted them so to stand by him therein, that they might render prosperous that course by their valour, upon which their courage and forwardness had put him, he led out his Army at the two Gates, *Pinciana* and *Salaria*. He ordered *Valentinus*, a Commander of Horse, to pass by *Porta Aurelia* into *Nero's* Fields, with a small Party; and there to make only a countenance of fighting, and keep the strong Body of Goths, which lay in that place, from passing the Bridge of *Milvius* (which stood at a distance from the City) and relieving their fellows. This division he took to be of the greatest importance; and therefore not daring to mix the new Volunteers, who were most of them Artificers, and utterly unpractised in matters of this nature, with the rest of his Army, for fear of disorder; he assigned them a Post without *Porta Pancratiana*, beyond the *Tiber*, hoping that the Goths in *Nero's* Fields would be so apprehensive, both of them and *Valentinus* his Troops, that they would not dare to quit their station, to join themselves with the rest of their Army. He resolved to fight onely with Horse, because most of his Foot had got Horse from the Enemy, and were expert Riders, his Infantry was inconsiderable, both for number and courage, and not able to form any considerable Battalion; he would therefore place them near the City-ditch, to receive the Horse, in case of a defeat, and to repulse the Enemy. But *Principius*, one of his Guard, and *Tarmutus*, Brother to *Ennes*, Captain of the *Maurians*, laid before him how great an inconvenience it would be to want his Foot, and to put an affront upon the Roman Infantry, which in all Ages had born the brunt of War, and had indeed cut out the way by their Swords to that greatness of Empire, to which that State had arrived. All the miscarriages of this War they cast upon the Commanders, and begged leave that they on foot might now supply their places, resolving to stand the shock of the great Multitude of the Barbarians. The General at first denied the motion, both out of respect to their Persons, and the Infantry it self, which he knew must be brought into extreme danger. At length, at their importunity, he yielded that some few Foot, being placed at the Gates, upon the Battlements, with the common People, and about the Engins, the rest should be commanded by those two Officers, but stand in order behind him, left by apprehension of danger, they should put the Army into any disturbance; and that receiving such Horse as were routed in seasonable time, they might resist and repel the Pursuers.

102. *Vitigis* put his whole Army into a readiness, and ordered certain Troops, under command of *Marcus*, to keep *Nero's* Fields, and continue Masters of the Bridge. Having excited his men to animosity, by propounding to them the sad

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Pattern

Belisarius makes
very successful
Sallies.

Belisarius provides for a
pitched Battle, being
constrained
by his Souldiers
and the Citizens.

Vitigis putteth
to death Roman
Senators.

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The Roman Army routed.

Pattern of the *Vandals in Africa*; he placed his battalions of Foot betwixt the wings of the Horse, and both near the Camp, that in case of a rout they might have the farther to pursue, and do greater execution; for if they could but once come to hand-strokes, he little doubted to overpower the small numbers of the Enemy. Yet at first the *Romans* had the better, the *Goths* falling thick by the Shot, but such were their numbers, that they could not be missing; and *Belisarius* his men now fully perceived that their valour, how great soever, was far inferior to the conduct and wisdom of their General, whom, though they had in a manner constrained to this way of fighting; yet now they thought they should do bravely enough, if they only pulled on the Fight as far as the Intrenchments, and having done some execution, could retire into the City with the first fair pretence. In *Nero's* Fields the *Romans* fell suddenly upon the *Goths*, and terrified them so with their multitudes, that they fled in disorder to an Hill, for they took them all for Souldiers, and armed, though most of them were nothing less, a great number of Seamen and Slaves being also mixed with them. And they speedily made it appear how the *Goths* had misconceived of them, falling into confusion, and growing deaf to all the directions of *Valentinus* their Captain. They suffered the *Goths* quietly to retire, neither would they pass over the Bridge to the assistance of *Belisarius*, nor by breaking it down, cut off the passage of the Enemy, by which means they might have easily gained the day; but applied themselves wholly to riding and pillage. The *Goths* viewing them for a time, when they could once believe their own eyes, and perceived how madly they neglected their opportunity, fell with great violence down upon them, and easily routed them, being thus intent upon their plunder. In the mean time, the *Roman* Forces, at the *Goths* Intrenchment, were much diminished and weakened; though fewer fell on their Side than the other, by reason that the disproportion was so great betwixt the two Armies. The Barbarian Horse seeing their advantage charged the Enemy with their Lances, who not abiding the shock, retired to their Foot, which neither enduring the charge, both Horse and Foot ran away, with the *Goths* at their backs, the whole Army being absolutely routed. By the means of *Principius* and *Tarimutus*, the Foot, and most of the Horse escaped with greater ease; for they scorned to fly, still bore upon the Enemy, and fought with admirable resolution. *Principius* was cut in pieces, together with two and forty of the Foot. *Tarimutus*, when he was even quite spent, was rescued by his Brother, and recovered the Gates, but there fell down in a swoon; and being carried in upon a Target, survived but two days, leaving behind him immortal honour. The *Romans* within hearing Enemies and Friends might enter pell mell into the City, tumultuously shut the Gates against the flying Souldiers, who in this distress leaped over the Ditch, and stood trembling, with their backs to the Walls, unable with their broken Lances and Bows to keep off the *Goths*, who were ready to leap over to them; till seeing numbers of common People and Souldiers appear upon the Battlements, after some reviling Language, they despaired of success, and so retired.

§ 103. The *Roman* Souldiers, taught by this lesson of experience what they refused to learn from the Precepts of their General, were now well satisfied that there was no engaging with their whole Army, and therefore skirmished, as formerly, with their Horse lined with Foot, which marched by the Saddle skirts, and ever had the better of the Barbarians, though they used the very same manner of fighting. Many gallant Actions were performed by several of the General's Life-guard, and others; with which the time was spent, till he understood that a supply of money was already arrived in *Italy*, which how he should get into the City undiscovered by the Enemy, must now needs be both his great study and design. He led out his whole Army, as if he was fully bent upon a battle, which amused the *Goths*, and caused them to unite together, whereby they were diverted from the Place where he had appointed the Treasury, with its Convoy, to enter. But they could not live without money. Both Famine and Plague raged sore in the City the Summer following, which so much overcame the patience of the Citizens, that they importuned *Belisarius* to come to another Battle, and promised that not one of them would be able to stir if he quitted them by proceeding that suddenly they should have supplies from the Emperor, telling them that an Army was coming so big, that not one Province of the Empire but contributed to it, and such a Fleet was already arrived, as his *Roman* Eyes had ever beheld the like, for it covered the Shores of *Campania*, and much of the *Ionian* Gulf it self. And it being reported, indeed, that this Emperor would send Forces to *Naples*; he dispatched thither *Procopius* the Historian, both to head the Souldiers, to freight Ships with Corn, and with sufficient Ordnance to bring them to *Osia*. Taking more heart from this and other encourage-

Procopius de Bel. Goth. lib. 2.

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Belisarius in a manner besieged the Beliegers.

Success arrive from Constantinople.

The Goths send to treat.

Belisarius gives them leave to send to the Emperor.

ments, he not only reinforced his own Garrison, but by seizing on the neighbouring fortresses, and the several Avenues about the Town, intercepted the provisions which came to the *Goths*, and in a manner besieged the Beliegers.

§ 104. From *Constantinople*, at length, arrived at *Naples* three thousand *Spaniards*, at *Hydrus*, or *Otranto*, eight hundred Horse *Thracians*, besides one thousand Horse more, and three hundred already had reached *Rome*, by the way of *Sannio* and *Via Latina*. In their march through *Campania*, they joined to them five hundred men newly levied there, and coasted along the Sea-shore, having many Waggoners with them, wherewith to fortify themselves if occasion should be, besides the convenience of carrying Corn and other Provisions: Some Troops they sent by Sea to meet and joyn with them at *Osia*. *Belisarius* having Intelligence of their motions, had reason to be concerned lest the *Goths* by their multitudes should intercept and cut them off, and therefore had recourse to his seldom failing Stratagem. At the beginning of the War he had caused to be rammed up with stones the Gate called *Porta Flaminia*, not finding it so convenient for Salies, and lest the Enemy should make advantage of that weak place and force the City. From this Gate he now caused the stones to be removed in great secrecy, and there placing as covertly as might be the greatest part of his Army, ordered certain Forces to issue out at another Gate, and after some short Skirmishing, to counterfeit a flight, and draw down the *Goths* to the *Flaminian* Gate; whence he sallied unexpectedly with his whole Power, and did great execution. By these disasters their Courage was now quite broken; they saw they had to do with a Captain, who as well in downright Valour, as sagacity and stratagems could not be matched; they themselves instead of Conquering the Besieged by Straits and difficulties, were pinched with Famine, being excluded from all Provisions, and what by the War, and what by the Plague and other Calamities, were reduced from many thousands to a far inferior number. But when they heard of the Forces arrived from *Constantinople*, the number and power of which fame had increased beyond their due proportion, they then consulted about a Retreat, and how with best advantages of honour and safety they might retire. They sent three Commissioners into the City with instructions to insist upon the violence and force which *Justinian* by this Invasion had put upon them, being the rightful owners and Possessors of *Italy*, ever since *Zeno* the Emperor had passed that Country over to *Theodoric*, when he put him upon making War with *Odoacer* and the *Heruli*. By the Mouths of these men they boasted, that they had maintained the Commonwealth and Laws, in as great freedom and vigour as ever did any Emperor. That there had not been any one new Law made by *Theodoric*, or any of his Successors written or unwritten. And as for Religion, that they had not at all infringed the liberty of Conscience to the *Italians*, nor violated the privileges and immunities of the *Roman* Churches. In a word, that all preferments had been conferred upon *Romans*, not a *Goth* being advanced to any place of Note, particularly they had given way that the *Roman* Consulship should yearly be conferred on *Romans* by the Eastern Emperours.

§ 105. *Belisarius* denied utterly, that *Zeno* had conferred the Dominion and Sovereignty of *Italy* upon *Theodoric*, though he was content to employ him against the Usurpation of *Odoacer*. He inveigled against the ingratitude of that King, who never thought himself of restoring that Country to the true and undoubted Lord, and told the Messengers, they must not think he could give away the Emperor's Provinces. They then offered to quit *Sicily*, which they knew to be very commodious for the bridling of *Africa*. He answered that the Emperours had also quitted *Brittain*, an Island much larger than *Sicily*, and left it to the *Goths*, out of a principle of bounty and gratitude, so such as well deserved of them, and therefore he could not account this of theirs to be to great an Offer. They then mentioned *Campania* and *Naples*, and the payment of an Annual Tribute; but still his answer was, that he had no other Power or Commission than to repossess the Emperor of what was his own, and therefore as the last remedy, they desired they might have liberty to send to the Emperor himself, and that he would think of some reasonable time of Truce for that purpose. To this he replied, that he was not averse, and after several meetings, at length a Cessation, and exchange of Hostages was agreed on, the Cessation to continue three Months till Ambassadors might be dispatched for the Emperor's Resolutions, who should return home in safety though the truce were broken, by default of either party. During this Negotiation, the *Romans* had time and opportunity to receive in the supplies of Men, Money, and Provisions lately mentioned. They continued Masters of Sea, and for that reason the *Goths* were more and more straitened of Provisions; and constrained

Sect. 1. strained to abandon *Portus*, and several places and Posts which they had taken up about the City, the better to block it up. These places *Belisarius* caused instantly to be seized and Garrisoned by his own men, which lying at some distance and in a Circle, the Besiegers perceived themselves now plainly beleagured, and being impatient thereof, sent to expostulate with the General, and to demand a speedy restitution, as having onely upon some occasion withdrawn their men, and not expected the places would be so surprized. The cause of their quitting them being so notorious, he onely laughed at their pretext, and then they began to be jealous of each other.

106. He nevertheless prosecuted his Design to the utmost, and made the best advantage of all occurrences. Finding *Rome* sufficiently provided of men, he sent out the supernumeraries into the Countrey to be as a flying Army, to catch at opportunities, either of doing some thing notable against the Besiegers, in case the truce should be broken, or seizing such places as they might conveniently attack. Greater hopes still attended his affairs, for about this time came *Datus* Bishop of *Milan*, with some of the principal Citizens, promising him to reduce not onely that City to the obedience of the Emperour, but all *Liguria* with it; yet all felicities have their inconveniences attending, there is nothing absolutely good in this World, the best men, if not the best gems, have their flaws and imperfections. Though *Belisarius* understood all the arts of a General, was perfectly practised in the mystery of Fencing, knew his guard, and as well how to keep off all the violent assaults, as undermine and obviate all the cunning attempts and secret plots of his Enemies, yet he either suffered himself to be surprized by passion, or deluded by feminine insinuations. There was one *Præfidius* a Roman Citizen of good Quality, who dwelling at *Revenna*, upon great displeasure conceived against the *Goths*, withdrew himself privately from that City, at such time as *Vitigis* marched toward *Rome*, communicating his Design to none, nor taking money or any thing else with him, but two short Swords, the Scabbards of which were set with much Gold and pretious Stones. When he was come as far as *Spoletum*, *Constantinus* then happening to be there, upon notice given him of the Swords, sent *Maxentius* one of his Guard, and took them from him by plain force. He was much grieved and offended at the wrong, and hasted to *Rome* to complain to *Belisarius*; but the Siege and all the difficulties thereof coming on, he held his peace till this time, when he thought the dangers were well over. Making now his complaint, the General reproved *Constantinus*, and advised him to wash his hands of so foul an Imputation, but he put it off with a Jest, and onely drolled with the man whom he had wronged. *Præfidius* hereby enraged, and meeting *Belisarius* as he rid through the *Forum*, took his Horse by the Bridle, and with some clamour demanded, whether it was the Emperour's Law that a poor supplicant flying to *Rome* for refuge from Barbarians, should be robbed of what he had about him. For all the threats of the Guard, he would not let go the Bridle till the General had promised him, that the Scimitars should be restored.

107. The next day *Belisarius* sent for *Constantinus* and other Officers, and laid his Commands upon him to restore the Swords; to which he answered, that he would sooner cast them into the *Tiber*. The General growing angry, askt him if he thought not himself to be under his Command, to which he replied, that in other things he would obey him, because such was the Emperour's pleasure, but that which he now Commanded, he would never do. *Belisarius* at this called in his Guards, which being perceived by *Constantinus*, he asked if it was to kill him. The General said no, but to compell *Maxentius* to restore the Swords, which he had taken from the man and given unto him. But he concluding it was to kill him, thought to sell his Life at a dear rate; and drawing a short Sword, made a pass at *Belisarius*, who by stepping back, and embracing *Bessas* that stood next him, avoided the danger. Yet still in a rage he made at him, but two others of the Commanders laid hold of his hands, and drew him back till the Guard came in and wrested the Sword from him. Then and there they hurt him not, out of respect to the presence of the Officers, but carrying him into another Room; there killed him by Command of *Belisarius*, who in this one thing, saith our Historian, offended against the Laws of Piety and his own Inclinations, being otherwise eminent for his moderation towards all men. This *Procopius* wrote and published in the life-time of *Belisarius*, but in his secret History as they call it, he gives us another account of this tragical Act, and makes the design of it more private and deep laid, and impious above measure. The Reader must therefore know, from another pretended Treachery of our Author, that *Antonina* the General's Lady, was very vicious of her Body, and by her Domesticks was discovered to be frequently naught with *Theodosius* a young

Belisarius causes *Constantinus* to be killed.

Vide Procopii
Antiquar. hist.
2. 3. Edit. *Al-*
manni Ludw.
1623.

Sect. 1. a young man, whom she and her Husband had Christned just as they departed from *Constantinople*, and carried along with them in their expedition into *Africa*. Their secret practices being made known to *Belisarius*, he gave order to some of his Guard to kill him, but he having notice thereof, fled away to *Ephesus*, for those about the General chose rather to let him goe, than incur the indignation of *Antonina*, knowing their Master to be so fickle and uxorious, that there was no need to be taken of his Resolutions. And she so plied him with her Language, and cunning insinuations, that he was content to believe that she was wronged, to recall *Theodosius* and to give up into her hands her Accusers, whom, as the report went, the first punished by cutting out their Tongues, and then she caused the wretched Creatures to be cut in pieces, put in sacks and cast into the Sea. Now it so happened, that amongst others who pitied the Case of the General, *Constantinus* was much concerned for him, and let fall this expression, that had it been his case, he would rather have endeavourd the destruction of the Woman, than of the young man. The words being carried to *Antonina*, she conceived implacable malice against him, but kept it close, that she might the better find out a convenient opportunity to vent it. At length she took this advantage, and so followed it on, that when *Constantinus* had else been easily pardoned for that wherein he had offended *Præfidius* and *Belisarius*, she procured him to be made away, to the General's great dishonour, who incurred thereby much displeasure, both with the Emperour and his Nobility. For this *Constantinus*, or *Constantianus*, was Master of the Horse to *Justinian*, was a man eminent for good Conduct, both in affairs of Peace and War, having done extraordinary good Service in *Dalmatia*, *Lithania* and several other places. But he was to have a mischief, as *Procopius* observes, and this, if we could believe the Author of the Appendix to *Marcellinus* his Chronicon before that grave Writer, happened to him not at *Rome* but in *Campania*.

108. However, we must return from this his Tragedy to that City, on which we shall now find the *Goths* to have a Design, notwithstanding the Truce. They let down some Souldiers into an Aqueduct to discover, if there was any passage by it to be made into the Town, and they found their way clear and direct into the midst of the City, where in ancient times an Ascent had been made into the Palace; and *Belisarius* in the beginning of the Siege, had providently raised a Work to dam up the Cave. Finding here a full stop, they returned and made a report to *Vitigis* of their Adventure. In their passage up the Vault it happened, that at a certain place not far from the Walls, there being a breach in the Arch, one of the Sentinels saw light, which he discovered to his Fellows; but they made nothing of it, concluding it to be the eyes of some Wolf, which in so dark a place shewed like Fire. But the story going from one to another, at last it came as a matter of news to the General's ear, who most wise and cautious, thought fit not to slight such an hint as that might prove, but caused some of his men to enter the Aqueduct, who found therein scattered Lamps, droppings of Torches, and other things which sufficiently manifested who had been lately there. He placed so strong a Guard upon the Aqueduct, that the *Goths* perceiving it, knew they should but loose their time in any more attempts of that nature, and therefore resolved upon a general Assault, and at Dinner time came on, on a sudden, with their Scaling Ladders at *Porta Pinciana*. But their approach was not so secret, but that it was timely enough discovered by *Ildegerd*, whose turn it was then to Command the Watch, who finding them in disorder by reason of the hurry, more courageously charged them; and the Alarm being given through the Streets, the *Romans* flocked to the Walls, and so the Assaultants were driven back, and forced disgracefully to quit their enterprize. *Vitigis* still had another Design: The Walls to the River were slightly Built, the ancient Inhabitants having there trusted to the natural Fortification of the *Tiber*, upon which account also that part of the City had at present no considerable Guard. He corrupted two *Romans* dwelling about *St. Peter's* Church, to carry a Vessel of Wine to the Sentinels about the Evening, and there sitting drinking with them till about Midnight, to put into their Cups a certain sleepy Drug, which when it had had its perfect Operation, they were to give the signal to the *Goths* on the opposite Shore, who passing over to scale the Walls, that they might better doe their Work, he put his whole Army in a readiness to Storm the City. But one of those men discovered the Plot, and his fellow who had the Drug about him, being first tortured and forced to produce it, had his Nose and Ears cut off, and then set upon an Ass, was in that manner sent into the Camp of the *Goths*, who acknowledged the hand of God in detecting and preventing all their Councils, which tended to the taking of the City.

The *Goths* having attempted in vain, to enter *Rome* by an Aqueduct,

are repulld in a designed Ambuscade.

Disappointed in their Plot upon the Sentinels.

Vide Beroz. ad
6. Ann.

Sect. 1.

109. In the mean time, the design which *Belisarius* had in sending out his supernumerary Forces upon other places of *Italy*, took well enough. *John*, who Commanded them, waited all *Picenia*, overthrew and killed *Ulitheus* the Uncle of *Vitigis*, and seized on *Ariminum*, which being but a days Journey from *Ravenna*, the *Goths* (as he had rightly imagined) were much startled at the report, and extremely fearing *Ravenna*, as also being in great want of provisions, after they had spent one year and nine days in the Siege of *Rome*, about the Summer Tropick burnt up their Huts, and by day-break departed. *Belisarius*, when the one half of them were got over the Bridge, issued out and fell upon the *Kere*, which though it made head stoutly against him, yet many were Slain, and many Drowned, by pressing and crouding and falling into the River, with their Arms upon them. *Vitigis* put strong Garrisons into all places in his Passage, and marcht towards *Ariminum*, which he resolved by all means to recover. *Belisarius* guessing at his design by his Interest, dispatched away *Ildeger*, and *Martinus* with a thousand Horse to get before him, by taking some nearer way, and to cause *John* with his Troops to rise from thence, and to place in their room some Foot, which he ordered to be taken out of *Ancona*, a Town standing upon the *Ionian Gulf*, two days Journey from *Ariminum*. For he considered that this Town, being onely Garrisoned by Foot, and no Commanders of Note in it, the *Goths* might possibly despise it, as a work of no Mastery or advantage, and if they should Besiege it, that Provisions would last longer for Foot onely, and that *John's* flying Body of two thousand Horse, would doe good Service against them, and possibly force them to raise their Siege. *Ildeger* and *Martinus* did as they were enjoined, easily preventing the *Goths*, who by reason of their Multitudes and want of Provisions, marcht slowly and out of their way; besides, they durst not come near the *Via Flaminia*, because that *Narnia*, *Spoletum* and *Perusia* were at that time held by the *Romans*.

110. In their way, *Martinus* and *Ildeger* took *Petra*, a Castle standing upon a Rock, almost inaccessible by reason of its steepness on one side, and a swift unfordable River running by the other. They took the Souldiers out of *Ancona*, and brought them to *Ariminum*, but *John* would not forsake the place, and detained four hundred men Commanded by *Damianus*. The City was instantly Besieged by *Vitigis*, who thought to doe his work by a wooden Tower, made higher than the Walls, which he would not have drawn by Oxen, as that of *Rome* had been, but born by men within it, who carried also a broad scaling Ladder wherewith the Souldiers should mount the Battlements. They carried it to near the Walls, that there was onely a small and inconsiderable trench betwixt them; but resting themselves by Night, and not fearing any opposition, *John* with a Company of Pioneers issued out, and enlarging the Trench, cast up the Earth toward the Town, and made therewith such a rampart that rendred the Engine useles the following day; for though *Vitigis* caused the Ditch to be filled with Faggots, yet the weight of the Turret so pressed them down, that they could not move it over them, and attempting to draw it back, *John* sallied out upon them, and an hot Fight began, so that the *Goths* hardly at last, and with great loss brought back the Turret to their Camp, resolving to make no more Assaults, but lie still and starve out the Enemy, whom they knew to be in great want of Provisions, and utterly at a loss how to come by any. In the mean time, *Belisarius* had his mind intent upon another quarter of *Italy*, sending a thousand men under the Emperor's hands, at least to transfer the Seat of the War into the Enemies Country. They took *Milan* without opposition and all *Liguria*, or the Country round about it, which when *Vitigis* understood, he dispatched thither, with an Army, *Ureas* his Sisters Son, and solicited *Theodebert* King of the *Franks* for assistance, who would not send him any of his own Subjects, for fear of disgusting the Emperor, but procured him ten thousand *Burgundians*, who pretended to come of their own accord. With them the *Goths* unexpectedly besieged *Milan*, and so straitned the *Romans* within, that in a little time they wanted Necessaries. *Mundilas* had also, by Garrisoning several other Towns therabout, so lessened the numbers of the Souldiers, that the Townsmen were forced to Watch in their turns. So the Winter eaded together with the third year of the War.

111. About Midsummer following, *Belisarius* resolved to leave a small Garrison in *Rome*, and march against *Vitigis*. In his way he took in *Tudera* and *Clusium*, and received Intelligence that *Narjes* an Eunuch, the *Comes Sacrarum Largitionum*, was from *Constantinople* arrived in a man Valiant above the condition of Eunuchs, was from *Constantinople* arrived in *Picenia*. He brought with him five thousand men, commanded in several Regiments,

ments, by *Justinus* General of *Ilyrium*, and another *Narjes* an *Armenian*, formerly mentioned, besides two thousand *Heruli* led by *Vifigandus*, *Allothes* and *Phanethus*. The ancient Seat of these *Heruli* was beyond the River *Danubius*. They worshipped many Gods, whom they thought they pleased by humane Sacrifices; most of their other Customs being also different from the practices of the rest of the World. The Aged and Sick amongst them, were not suffered to stay the time which nature or the Disease had determined, but were upon their own desires, put upon a pile of Wood and thereon killed, by any *Herulan* except one of their own Kindred, for their Relations were not permitted to have any hand in their Death. This done, Fire was set to the Pile, and when the Body was Burnt, the remaining Bones were gathered together and Buried. If the man was Married, his Wife was to strangle her self at his Monument, or else be subject to perpetual infamy and reproach. This People in time subdued all Nations about them, and forced them to submit to the Yoke, amongst which were the *Lombards*, who had e'er this; imbraced the Christian Religion. Contrary to the former practice of Barbarians, they made these *Lombards* pay Tribute, either out of Offentation, or a greedy desire of Wealth. When *Anastafius* the Emperor Reigned, they continued quiet for three years, having none upon whom they could justly exercise their Valour, but then out of impatience of rest and idleness, they reviled *Rodolphus* their Prince, as lazy and effeminate, who iraged by their reproaches, resolved to make War right or wrong, and the storm must fall upon the *Lombards*. There being not the least pretext of any miscarriage alleged for this Invasion, they sent to expostulate with him, offering to pay the last penny of their Tribute if any were behind, and rather than not to have Peace, to purchase it with an enlargement of their former Contributions. He dismissing the Ambassadors with ill looks and worse Language, they sent to him the second and third time, and when they could nothing prevail, they protested that if he would without any cause make a War, they must and would with their utmost force oppose the Invasion. And herein they appealed to Almighty God, as an indifferent Umpire, the least of whose Assistance they said was able to overbalance the greatest power of Earthly Potentates.

112. The *Heruli* deaf to all such Religious Language, and placing their trust in the greatness of their numbers, prosecuted their Design, and resolved speedily to come to a Battel. Their expectation failed them; for many of them were Slain upon the place, together with *Rodolphus* their King, and the rest betaking them to their Heels, were almost all cut in pieces; for that the residue not able to protect themselves, who had lately fought the Destruction of others, were forced to quit their ancient Seats, and wandered up and down the Countries, lying upon the *Danube*, till they came at length to the place which the *Rugi* inhabited, before such time as they passed with the *Goths* into *Italy*. The ground was very waste and barren, so that they were forced hence by Famine, and journeying on late down near the *Gepide*, who at first received them as humble Suppliants, but afterwards offered them many Indignities, ravishing their Wives, and driving away their Cattel, with which at last being tired, they passed the River, resolving to try the Courtship of the *Romans*. *Anastafius* knowing the ground not to be sufficiently planted, was content to admit them, and there for some time they lived, till by committing several Infolences against the *Romans*, they incurred his Indignation, and drew a War upon their own heads, wherein most of them perished, as the rest begg'd their Lives, and offering them to the Service of the Empire, to which yet they proved not useful in the least degree. *Justinian* coming to the Government, for all this, was kind to them, giving them a good Country to Inhabit with other things, and making them his Friends and Associates, perfwaded them to become Christians. Upon this they grew civiler, governing themselves according to the Laws of Christianity, for the most part, and serving the *Romans* in their Wars according as the nature of their League and Alliance required. Yet they retained their former perfidious, and covetous principles, which they accounted no disgrace at all. Of beastly lust they knew no bounds nor measures, not confining themselves to the use of mankind, of whether sex soever, but extending their extravagant appetite to other sorts of Animals. The truth is, faith *Procopius*, in wickedness they exceed all other Nations, and most commonly pay dear for the privacy of their disposition.

113. Some few of them continued in their fidelity to the *Romans*, the rest revolted upon this occasion. They put to Death *Ocho* their King, for no other reason at all, but because they were resolved no more to live as Subjects. Indeed he

SECT. I. had been Master before, but of a mere Title, enjoying nothing of Royalty but the Name, for all sorts would sit and Eat with him, and as oft as they pleased, put affronts and indignities upon him; this being the most soft and light of all Nations, upon the face of the Earth. But they had no sooner committed, but they repented of that horrid Act, finding Anarchy more burthenome than Monarchy, and an absolute necessity of having some one to Command and rule them. After much time spent in debates, they resolved to send for one of the blood Royal, from the Island of *Thule*, by which name *Procopius* calls and describes the vast continent of *Scandia*, being as it appears in Maps, of the form and fashion of a Peninsula. For when they fled their Countrey, after the Defeat received from the *Lombards*, some of them, as was said, seated themselves in *Ibrium*, others would not pass the *Danube*, but chose rather to plant in the utmost borders of the habitable World, and under conduct of many of the blood Royal, making their way through the Countreys of the *Slavi*, *Varni*, *Danet*, and others, at length arrived at the Ocean, over which they passed into the Island of *Thule*, as the Historian will have it, who spends time in a description of the place, which can agree with no other Countrey than that of *Scandia*. But the Messengers fetching one of the Blood from this place, he died by the way, which forced them to return back, and bring another whose name was *Todofius*. But he being long upon his Journey, such *Heruli* as lived about *Singedon*, conceiving that the Emperour might be offended, if they made choice of a King without his advice and approbation, sent and desired him to name the man, who preferred to the place one *Swartas* of that Nation, that had lived long at *Constantinople*. Him they received and obeyed for some time, till they had news of the approach of *Todofius*, against whom as his Rival, he led them out, but when they were come within a days Journey, they revolted from him to the new Comer, and he was glad to fly for his Life to *Constantinople*. The Emperour consulted how he might provide for his own Honour in his restitution. The *Heruli* not ignorant hereof, betook themselves to the *Gepide*, and this was the occasion of their Revolt.

The Armies of
Belisarius and
Narjes joyn.

114. But to our purpose, the Armies of *Belisarius* and *Narjes* joyned together at *Firmum*, a City standing on the *Adriatick* Coast, where they consulted by what ways and methods they should manage the War. If they should go to the Relief of *Ariminum*, it was feared that the Enemy from *Auximum* would fall upon their Backs, and haraſs the Countrey inhabited by *Romans*. On the other side, it was thought hard to suffer the Besieged to perish for want of Necessaries. The Officers generally expressed much indignation against *John*, for having through rashness, and a thirst after Wealth, cast himself into so great a danger, and disobeyed the orders received from *Belisarius*. But *Narjes* who loved the man above all things, for fear he should miscarry, pressed the General earnestly to march to *Ariminum*, whence in the nick of time as it fell out, Letters came from *John*, intimating that without Succour, he must necessarily yield the place within seven days. *Belisarius* found himself surrounded with difficulties, being either to loose *Ariminum*, or in all probability to suffer the Towns about *Auximum* to be Burnt and destroyed, and his own Army flanked and distressed in case of a Battel. To provide therefore against both inconveniences, he left *Aratus* with a thousand men by the Sea side, to be a check upon the Enemy in *Auximum*, with expreſs Command, not to fight but in their own defence. He sent some Forces by Sea, under the Conduct of *Ildeger*, with orders to Sail directly for *Ariminum*, and to Land near the Foot, which he would have march by the Sea shore, under the Command of *Martinus*. And giving them directions to make many Fires when they came near the Enemy, to amuse him with a false apprehension of their numbers; he with *Narjes* and the rest of the Army, marched at a distance from the Sea by the Mountains, resolving not to come to a pitch Battel, both because his numbers were short, and the *Goths* were grown desperate upon their misfortunes. But the division of his Forces, and the Stratagems he used, had their wished effect. For, some straglers of the *Goths* lighting by chance upon a party of his men, and seeing others appear upon the Mountains, reported that he was at hand, with an innumerable Army. They prepared for a Battel, expecting him toward the North of *Ariminum*, and still having their eyes on the tops of the Mountains. But by Night, when they were about to take their rest, appeared the Fires, some seven miles off to the Eastward, kindled by *Martinus*, which cast them into a terrible fear, apprehending that the next Morning they should be surrounded; then by Sun rise, they saw a great Fleet coming, which struck them with consternation, made them altogether desperate, and deprived them of all power of Consultation,

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so that they neglected all Commands, being only intent upon trussing up their Baggage, and thoughtfull how they might quit the Siege, and get into *Ravenna* with whole skins. Much of their Baggage they left behind, flying in such disorder and tumult, that had not the Besieged been heartless with their miseries, and feeble for want of Bread, they might easily have cut them in pieces, and made an end of the War.

115. After this success, jealousies began to arise betwixt *Belisarius* and *Narjes*, whose Followers flattered him by extolling his Power and Parts, and fomented the difference by persuading him that it was far below him to fight under the Standard of any General. *Belisarius* aware of it, sought to divert his humour by Action; and in an Assembly of Officers, discoursed much about the security and infolence which ever attend good fortune. He propounded to their consideration how strong an Enemy they had still to deal with. That *Vitigis* was in *Ravenna* with many thousands; that *Ureas* still besieged *Milan*, and held all *Liguria* at his devotion; in *Auximum* was yet remaining a great and gallant Army; and several other Places the *Goths* held, as far as *Urbiventum*, a City not far distant from *Rome*, each of which was able enough to contend with the Emperour's whole Power. He assured them their late successes had neither happened for want of men, nor courage on the side of the *Goths*, but that they had been overreached and tired out with variety of Stratagems. His opinion therefore was, that part of the Army should be sent into *Liguria* and *Milan*, and the rest march to *Auximum*, and wait such opportunities as Providence should present. *Narjes* excepted against this, that the rest of the Army should be confined to *Auximum*, alleging that the *Goths* from *Ravenna* would fall upon them, and that being charged on both sides, and wanting Provisions, they must necessarily perish. He told him he was not against his going to *Auximum* with a Party, in the mean time the rest would fall upon *Æmilia* (or *Lombard Cispadana*, reaching from the City of *Asi* to *Parma*) not doubting to give a good account of it, and so to alarm those in *Ravenna*, that *Belisarius* should bring *Auximum* to what Terms he pleased, all relief being thereby cut off. *Belisarius* dreading nothing more than the division of the Army, for he judged the Emperour's Affairs would thereby absolutely miscarry, produced the Letters of *Justinian*, by which it appeared, that he had not sent *Narjes* into *Italy* to command his Forces, it being his pleasure that *Belisarius* should have the sole Command thereof, and the rest of the Officers observe his orders in all things concerning his service, and the good of the State.

Belisarius and
Narjes differ.

Narjes parts
from the other.

116. *Narjes* took hold of the last words of the Letter, affirming that the General did now advise contrary to the good of the State, and therefore they were not obliged to follow his directions. Hereupon *Belisarius* sent *Peranias* with a Party to besiege *Urbiventum*, and he himself led the rest of the Army against *Urbium*, a City distant from *Ariminum* a days journey, and situate upon a round high Hill, not craggy, but unsafe to mount, by reason of its steepness, and nearness to the City, only to the North lies an entrance in the plain ground. *Narjes* and *John* followed him, but encamped severally at the foot of the Hill, and e'er long persuading themselves that the Town was not to be won, because *John* had formerly in vain attempted it, they rose by night, and notwithstanding all the motives the General could use, went away with part of the Army to *Ariminum*. For all this *Belisarius* resolved to proceed, though the Besieged, seeing half of the Forces risen and departed, were much elevated, and he prepared for an Assault; when his business was done otherwise to his hand, by reason that the only Fountain they had in the City dried up of it self, and in the space of three days so failed, that the *Goths* were constrained to drink water and mud together. Upon the approach of the Assailants, the Besieged yielded to Terms of Indemnity, which were readily granted, although the *Romans* knew nothing of the Fountain, and thought the terror of their Arms had alone procured the Surrender. *Narjes* lying still in *Ariminum*, was amazed at the success, and sensible of some reflexion upon himself, and his Companions, sent *John* with the Army against *Cesna*, which he finding impregnable, went, and took in by surprize an ancient City called *Forum Corneli*, and afterwards recovered all *Æmilia*, the *Goths* avoiding all Engagements. *Belisarius* having taken in *Urbium*, considered that the Winter Tropick approached, and therefore thought it not expedient to go against *Auximum*, the siege of which he knew must be long; for the Town of it self, by reason of its Situation, was not to be forced, the *Goths* within it were many, and of the best, and having had time enough to provide for the worst, they had foraged the Countrey, and brought in great quantity of Provisions.

SECT. I.

Belisarius besieges Urbivertum.

A grievous Famine in Italy.

Milan yielded to the Goths.

117. He ordered therefore *Aratius* to winter in *Firmum*, to hinder the Incursions of the *Goths*; and understanding that the Garrison in *Urbivertum* was slenderly provided, he marched thither, hoping that upon sight of his Army they might yield the Place. Nature it self had made the Town impregnable, being built upon a Hill standing alone in a Valley, plain the City betwixt these Rocks, which being guarded, the Inhabitants feared no Attacke at any other part, considering that where the way lay into the Town, a large and unfordable River took up all the space betwixt the Hill and the Rocks. So that there was onely a small Back-house at the said Passage, and a Gate, which the *Goths* diligently watched. But *Belisarius* begirt the Town, hoping, by advantages he should make of the River and otherwise to starve them out. They were indeed very barely furnished; yet they endured beyond expectation when their Provisions failed, which they had so husbanded, as onely to keep life and soul together, feeding upon Hides and Skins soaked in water, and upon vain hopes suggested to them by *Albilas* their Governour, a man of great reputation amongst the *Goths*. But the Famine not onely raged within the Walls of this Town; for, the Summer following, the Corn in these Parts grew not in such quantity as formerly, being neither covered with the Plow nor Harrow, but lying upon the surface of the Land, which yielding but a small crop, this also was lost for want of reaping; for it shed, and never grew again. In *Tuscany* the Mountainers fed upon Acorns, which bred all sorts of Diseases amongst them. In *Picenia* died for want of bread fifty thousand Roman Husbandmen, and more in other Parts. *Procopius*, who was an Eye-witness, thus describes their Countenances, and the manner of their deaths. They grew first lank and pale, choler prevailing (by reason of the natural heat its preying upon, and tortifying the humours, without any fresh supply) spread a yellowish and wan complexion about their Bodies. As the Disease increased, and moisture decayed, the Skin became like to a tanned Hide, as it seemed, cleaving to the Bones. Afterwards they grew as black as Links much burnt; their Countenances were ghastly and staring, like Mad-men. Famine made not an end of all, many perished by satiety and much eating; for the natural heat being consumed, together with that which nourished and maintained it, if they fed to satisfaction, and not by little and little, as new born Children, they overpowered it, and not able to digest, presently died. Sometimes Famine so overcame Nature, that they fed upon one another. Two Women about *Ariminum* were reported to have eaten seventeen men, killing them as they slept, and were by the eighteenth discovered, and by him served in the same kind. Many swooping to eat Grails, and not able to pull it up, fell upon their Hands, and died with some of it in their Mouth. There was not the least thought of Burials. Such ravenous Fowls as fed on dead Bodies would not touch these Carcasses, there being no Flesh to allure their Appetites. So grievous was the Famine.

118. At this time *Milan* was besieged by the *Goths*, under the Command of *Vreas*, which *Belisarius* understanding, sent *Martinus* and *Vliaris* to the relief of that City. They coming as far as the River *Poe*, a days journey from *Milan*, there encamped themselves, and though solicited by their distressed Friends, still loitered and deferred their passage, and at length excused themselves to the General by Letter, pretending that the *Goths* in *Liguria* were too strong for them, being assisted by a Multitude of *Burgundians*; and upon this account the Army feared to pass the River, with which they could do no other than comply. Upon the receipt of this Letter *Belisarius* commanded *John* and *Justinus* to join with *Martinus*, which they refused flatly to do, except they received orders from *Narses*, to whom then he wrote, desiring that the Emperour's business might not be endangered by their mutual Emulations; and *Narses* was so moved, as to write to them to do what the General had enjoined. But during these delays and tergiversations, the Besieged were infinitely distressed by Famine, forced to feed on Dogs, Rats, Mice, and such like Creatures. The *Goths* offered *Mundilas* and his Souldiers Terms of Indemnity, but resolved to destroy the *Ligurians*, which resolution he moved the Governour, that calling his men together, he earnestly endeavoured to dissuade them from yielding; inciting them by arguments drawn from honour and valour, to make a lusty rally upon the Besiegers. But they were deaf on this Ear, and yielding the City upon the Conditions offered, were made Prisoners together with *Mundilas*. The *Goths* demolish the City, put all men of ripe age to the sword, to the number of three hundred thousand, the Women they made Slaves, and gave to the *Burgundians* as a reward. *Reparatus*, a Prefect, they cut in pieces, and cast him to the Dogs.

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Narses recalled.

Belisarius besieges Auximum.

The Franks invade Italy.

Dogs. *Bergantinus* onely with a few more escaped; and passing into *Dalmatia* through *Vesetia* and other places, at length brought news of the disaster to the Court. The *Goths* making use of their good fortune, took in other Towns by composition; and reduced speedily all *Liguria*. *Martinus* and *Vliaris* with shame and disgrace enough, returned toward *Rome* with their Forces.

119. *Belisarius* knew nothing of what had passed till the Winter was over, and that he marcht with his Army into *Picenia*. *Vliaris* then he banished his presence; and the whole matter he wrote to the Emperour, who yet would punish no man; but understanding how great differences had been betwixt *Belisarius* and *Narses*; he recalled *Narses*, and gave to *Belisarius* as absolute command as ever. *Belisarius* was sensible, as well of the effects of this prudent resolution; as the disposition of *Belisarius*; who, he concluded, would the next Spring come against him in person to *Ravenna*. Now did he consult, as in a desperate condition; what might be the most proper way and method for redress of so impendent an evil. Of the faithfulness of the Germans (or Franks) they had too fresh experience, willing onely they might continue Neuters. *Paris*, King of the Lombards, assailed to the Emperour, declined all Overtures. And therefore, as he was advised by his ancientest and wisest men, he sent Ambassadors to *Chosroes* the Persian King, to persuade him to invade the Roman Territories; concluding, that if *Justinian* had such an Enemy at his back, he would give him sufficient diversion; and he must needs recall his best Captain, and make peace with himself and his *Goths* in the West, the better to attacke his Eastern Affairants. Thus indeed it came to pass; but in the mean time *Belisarius* following his present Instructions; and the course of his Fortunes; resolved if possible to take in *Auximum* and *Fesula*; and then having cleared his passage, to set upon *Vitigis* in *Ravenna*. Having appointed sufficient Forces to besiege *Fesula*, he himself with eleven thousand men late down before *Auximum*; the Metropolis of *Picenia*, standing at ten miles and an half distance from the *Adriatick* Sea; and from *Ravenna* ten miles above three days journey, situate upon an high Hill, without entrance on any plain ground, and consequently not approachable by any Enemy.

120. *Belisarius* besieged the Town, distributing his men into several Quarters; and notwithstanding their Ambushes, and some venturous things they attempted; yet the Besieged were driven into such straits, that they sent to *Vitigis*, whom they threatened with a speedy surrender of this Place (which he accounted the Key and Fortrefs of the Countrey) in case they had not sudden recruits. He promised them relief with no less than his whole Forces, but upon better consideration, when he had elevated them with vain hopes, he lay still in his Quarters, doubting indeed, lest *John* with his Troops should fall upon his back, but more discouraged by the failing of *Necessaries*; for he knew not any way to supply the Army, the Romans being Masters at Sea, and fetching their Provisions from *Sicily* and *Calabria*, which they landed at the Castle of *Ancona*, whilst the *Goths* groaned under the want of *Necessaries*. Hereupon they again earnestly solicited *Vitigis* for relief, who orders *Vreas* with the *Goths* in *Liguria*, to go to their assistance, promising that he himself would follow with his whole power to raise the Siege. *Vreas* past the *Poe*, and fate down at the distance of seven miles from the Roman Camp, thinking it sufficient to doe thus much without hazarding a Battel, which if they should lose, they should, he knew, endanger all: and the Romans were no whit eager of the fight, judging it enough to keep their new-come Enemies from joining with the Besieged. In the mean time, whilst these two Nations harassed and weakened each other; a third was aware of the effects of their quarrel, and seeing them so far spent by their mutual hostilities, that they had rendered themselves in all probability incapable of resistance, resolved to attacke both, and decide the controversy by removing the occasion of their dispute. These were the Franks, who repining after so many glorious Precedents of their Forefathers, so fit idle at home, conceived now they had a fit opportunity of making themselves Masters of (at least) a considerable part of Italy.

121. Forgetting their late oaths and obligations, both to Romans and *Goths*, as being, in the judgment of *Procopius*, the most faithless of all men, they invaded Italy with an Army of an hundred thousand men under conduct of *Theodebert*. Of these, some were Horsemen, and attended their Kings: the rest Footmen, using neither Bows nor Lances, but a Sword, a Shield and a Battle-axe, the Iron whereof was broad and two-edged, and the handle as short as the hilt of a Sword; this at the first charge upon the signal given, they cast from them; and therewith breaking the Shields of their Enemies, did great execution. When the *Goths* perceived them to have

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to have passed the *Alpes* into *Liguria*, they much rejoiced, concluding that these same men, they had so often courted and tempted by money and other offers in vain, had now unbethought themselves, and were come to their assistance: And so long as they continued in that Country, they committed no hostile Action, nor gave, any cause of jealousy, that they might quietly and securely pass the *Poe*, which they did at *Parvia*, so free from opposition, that the *Goths* gave them much assistance in their march. But having made themselves Masters of the Bridge and Passage, they instantly seized on their Wives and Children, which they cast into the River; as the first fruits or spoils of the War; for though they had taken upon them the name of Christianity, yet these Barbarians, as the Historian telleth us, in his days still continued many heathenish and superstitious practices, as amongst the rest humane Sacrifices, wherewith, and by other sacrilegious, rather than sacred, means and methods, as he observeth, they were wont to make a guests of what was to come. The *Goths* in great fear fled into the Town, and the *Franks* or *Germans*, as *Procopius* calls them, passed by directly to their Camp, where at first they were, upon the same surmise, kindly received; till laying about them with their Axes, and beginning to do mischief, they were presently discovered by the *Goths*, who then took them to their heels, and fled by the *Roman* Camp into *Ravenna*. The *Romans* seeing them fly, could think no other, but that *Belisarius* had routed them, and now gave the chase; therefore they took Arms, and resolved to fall in with him. But for their offered assistance they found themselves as badly treated as those that fled, and being easily beaten, because surprised, when they could not return to their Camp, they fled into *Tuscany*, and sent news of the Accident to their General.

Take the Camps of Goths and Romans.

122. The *Franks* thus became Masters of both the Camps, where they found Provisions sufficient for their present supply. But they were come into an exhausted Country, which afforded nothing but the flesh of Oxen, and water from the *Poe*; not any bread, nor any thing, except that liquid Element to digest the flesh, which cast them into fluxes and dysenteries, so that having no Medicines, nor other conveniences at hand, a third part of them are said to have perished, and the rest staid in these Parts, not able to march any farther. In the mean time, *Belisarius* hearing of this Invasion, and how the Troops of *John* and *Martinus* were routed, began to suspect the state of his Affairs; and desirous to divert the storm from his own Army, which he knew could not but be very great, in case the *Franks* and *Goths* should join together, he wrote to *Theodebert*, given him good words, and expostulating with him for the breach of these Articles, which he had most religiously signed, putting him withal in mind, that the Emperor's condition was not so weak, as to render him incapable of calling him hereafter to account. *Theodebert* somewhat moved with this Letter, more troubled at the opprobrious language of his men, who reviled him for suffering them to die like dogs in a desolate Country, and most of all touched with a sense of his present Estate, rose up with all his *Franks* that survived, and hastened home.

Belisarius writes to their King.

He returns home.

123. *Martinus* and *John* returned with their Troops to prevent the Enemy his raising the Siege of *Auximum*, wherein the *Goths* heard nothing of the *Franks* retreat, but quite spent, and out of heart, by reason of the delay of assistance promised from *Ravenna*, thought once more, and for all, to importune *Vitigis*; and not being able to send any Messenger out of the Town, by reason of the strict watch that was set upon them, they corrupted with money a Souldier in the *Roman* Army, who stood Sentinel to keep off the Inhabitants from cutting Grass, the best supply of Victual they now had. To their Letter sent by this Fellow, *Vitigis* returned a plausible and kind answer, which so animated them, that they refused all offers made by *Belisarius*. But finding they got nothing but good words, they sent the second time, declaring they should not be able to struggle with the Famine any longer than five days more, to which their King replied as formerly, holding them in suspense with the like hopes. The *Romans* all this while were weary of the siege in a barren Country, and disheartened at the oblationary humour of the Besieged. *Belisarius* secretly admiring what the thing should be which thus held up their spirits, procured a *Scleronian*, who, as the rest of his Countrymen upon the River *Ister*, was well practised in stealing Enemies, to catch one of the *Goths* that came out of the Town to gather Grass, by whom the whole matter about the Sentinel was discovered; for when brought face to face, the Fellow (by name *Barcenfris*, and a *Bessian* by Nation) confessed all; and being by the General delivered up to his Companions to be punished as they saw convenient, was burnt alive. *Belisarius* seeing them still hold out, thought he might possibly complete his design

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by demolishing a Conduit, which from the North-side of the Town, and near to the Walls, supplied them with water. A great contest happened about this Conduit, the Besieged issuing out, and with all their force endeavouring to protect it, having the advantage of the upper ground, which they improved to the slaughter of their Enemies. But the *Romans* bore upon them still, *Belisarius* their General calling upon them, who whilst he thus performed the office of a valiant Commander, had lost his life, but that *Pingatus*, one of his Guard, perceiving the Arrow coming toward his Belly, put his Right hand between, and to his own great damage and misery saved him harmless. For being wounded, and in great extremity of pain, he retired; and afterwards his Sinews were cut asunder, and he lost the use of his Hand. Yet did the Besiegers so stoutly ply it, that they drove up the Garrison within the Walls: but when they expected the fruit of this labour, and thought the Conduit to be broken down, they were deceived, the men that were set about it, not being able to force one stone out of it, so strong and artificially was it built. Hereupon *Belisarius* caused dead Carcasses, Lime and poisonous Herbs to be cast into the water; and resolving to use no more force, attended to his Guards and Sentinels. For he doubted not in a short time they would be starved out, being in extraordinary great wants, and merely kept alive by expectation of relief from *Ravenna*.

Famine yielded.

124. The Garrison in *Fasula* at this time struggling with the same miseries, and despairing of succour from that Place, yielded to quarter. *Cyprian* leaving a Party in the Town, brought the Inhabitants, with his Army, before *Auximum*, where *Belisarius* shewed them to the Besieged, thereby signifying what they were to trust to, and how groundless were their hopes and expectations from their King. Considering of the matter, and how unable they were to hold out against the Famine, they offered to yield the Town on condition they might enjoy their lives and goods. The General was not averse to it; but the Souldier opposed it, shewing his wounds, and recounting the labours and dangers he had undergone in the siege, of which, he affirmed the plunder of the Town to be the due and proper reward. At length the *Romans*, forced by the pressing opportunity, and the *Goths* by the Famine, came to this accord, that the Souldiers should have half the goods, and the Besieged with the other half become Subjects to the Emperor, which was accordingly done, and the Town was immediately surrendered. *Belisarius* having thus taken *Auximum*, hastened toward *Ravenna* with his whole Army. Both sides of the River *Poe* he caused to be guarded, to hinder all importation of Provisions, and so it happened, that the *Goths*, having procured much Corn to be brought down the River in Barks, the water suddenly failed, and thereby it became prize to the *Romans*, who having seized it, the River as suddenly recovered its former stream, and became navigable; an accident unheard of in ancient times; so that Providence it self seemed to decide the Controversie. The Kings of the *Franks* understanding how matters passed, could not endure to think of the *Romans* regaining their possession of *Italy*, but desiring to push for it themselves, sent Ambassadors to *Vitigis*, offering him speedy Aid, on condition they might share the Country with him. *Belisarius* being aware of it, sent also his Messengers, who so disputed the business, and answered all the arguments of the *Franks*, that *Vitigis*, after long conference with his Nobility, dismissed the Ambassadors with a denial, and inclined to an Accommodation with the Emperor. For by that which had lately happened at the *Poe*, he saw what assistance and fidelity was to be expected from the Alliance of the *Franks*.

Vitigis rejects the offers of the Franks.

125. Now began the *Romans* and *Goths* to send Messengers to each other. But *Belisarius* to make as sure work of it as he could, and to bring them to his Conditions, by his Guards still hindred the importation of Provisions. *Vitalianus*, he ordered into *Venetia*, there to take in what Towns he could; and hearing that in the Magazine of *Ravenna* there was much Corn, he procured a Citizen for a sum of money to set it on fire, and that with such secrecy and expedition, that they within knew not whether to impute it to lightning, or design, but it drove them into irresolution, and distrust of one another, and made them conclude that God himself made war against them. At this same time such *Goths* as inhabited the *Alpes Cottiae*, which divided *Gall* from *Liguria*, under the command of *Sisigis*, yielded themselves to one *Thomas* of the General's Retinue, sent by him thither for that purpose. Just now was *Orasus* with four thousand men, gathered out of *Liguria*, and the *Alpes*, marching to the relief of *Ravenna*, but understanding what *Sisigis* had done, retreated, and went to besiege him and *Thomas* together. This coming to the knowledge of *John* and *Martin*, the Brother's Sons of *Vitalianus*, who then lay about the *Poe*, they hastened to their relief, surprised some of the Castles, and made Slaves a-

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The Goths inhabiting the Alpes Cottiae yield.

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mongst others, many of the Wives and Children of *Uraas* his Souldiers, who perceiving they followed him to small purpose, whilst at home they lost all that was dear unto them, ran away suddenly to *John*. So that *Uraas* could do nothing there, neither could he relieve *Ravenna*; but retiring with a few Followers into *Liguria*, there lay still, expecting better fortune.

126. Things thus standing at the *Alpes*, and *Vitigis* with his principal *Goths* being clost shut up in *Ravenna*, *Dominicus* and *Maximinus* arrived, both of Senatorian Rank, as Ambassadors from the Emperour, with commission to make peace with *Vitigis* upon these terms; that he should enjoy half the Revenue, and the Domination of the Countrey beyond the *Poe*; the other half to be the Emperour's, with the rest of *Italy*, which should all be subject to him, and pay him tribute. *Vitigis* and his *Goths* most gladly accepted the Conditions, but *Belisarius* fretted exceedingly, as thereby deprived of the glory of ending the War, and carrying *Vitigis* Captive to *Constantinople*, which he knew he could now accomplish without much trouble.

Belisarius refuses to sign the Treaty.

He flatly refused to sign the Treaty, which made the *Goths* jealous that the Peace was fraudulently propounded, and raised the indignation of some of his Officers, who taxed him with a design to oppose the Emperour's service, and to lengthen the War. Hereat nettled, he called together the Commanders, and told them he was resolved to stand to their determinations, who still affirming that the Emperour's Instructions were the best, and that they were not able to subdue the Enemy by war, he made them express it in writing, that they might not be able to deny it afterwards. But the *Goths* were now so pinched with famine, that they could hold out no longer. They were weary of *Vitigis* his government, yet scrupled to yield to the Emperour, fearing to be transported to *Constantinople*, and planted thereabout. The Nobility upon the whole matter, resolved to declare *Belisarius* Emperour of the West, and sent to him underhand, promising him all fidelity and allegiance. He being tied to *Justinian* by oath never to innovate, during his life, would not take the Empire without his consent, and the name of an Usurper he abominated; yet he resolved to make use of this opportunity to facilitate his design, and therefore seemed to accept the offer. *Vitigis* perceiving the matter, commended the resolution of the *Goths* out of fear, and animated *Belisarius*, promising his assistance to remove all impediments out of the way.

The *Goths* Nobility would declare him Emperour of the West.

127. *Belisarius* keeping in his mind what had been concluded at the Council of Officers, lest they should mutiny, or make any stir, because their Resolution was not put in practice, now satisfied them that he could easily make *Vitigis*, and all his *Goths*, the Emperour's Captives, share their Wealth, and recover all *Italy* to the *Romans*, which they earnestly prayed him to effect. Then did he send to the *Goths*, willing them to perform their offer immediately; and being pressed sore with famine, they hastened away their Ambassadors, whom they commanded publicly to speak of nothing of moment, but privately to take oath of *Belisarius*, that he would not any way endamage the *Goths*, who should enjoy the same privileges and immunities, as the *Romans* themselves. As to other things, he swore in a certain form of words; but for the Empire, he said he would give oath to *Vitigis* himself, and the Commanders. The Ambassadors not imagining he would refuse the Sovereignty, which from their own inclinations, and the general temper of Mankind, they concluded that he desired above all things, prayed him to accompany them into *Ravenna*. He sent away *Narses*, *Aratius*, *Bessus* and *John*, to quarter in other Places, knowing them to bear him no good will, and alledging, that if they remained altogether, he could not possibly get sufficient provisions for such a multitude of men. Then with the rest of the Army did he enter *Ravenna*, and caused the Boats, laden with Corn, to be towed up into the Haven. *Procopius*, who beheld the entrance of the Roman Army into the City, tells us how by that sight he was convinced, that Affairs are neither carried on by multitudes of men, by valour, or any other humane efficacy; but that there is some higher and greater Power which steers, governs, and directs the minds of Mortals thither where nothing can hinder the preordained success. The *Goths* here had much the advantage both in power and numbers of men, since their coming to *Ravenna*, had not fought one Battle, nor received any accident, which could reasonably make any impression upon their Spirits; yet being subdued by those that were fewer and weaker than themselves, they counted it no shame to submit to slavery and bondage. The Women, who had been made believe that the Enemy was more numerous, and that the *Romans* were more tall and gallant Persons than they proved, when they saw the Souldiers enter, spit in the faces of their Husbands, and pointing at the Conquerors, upbraided them with their cowardise and indiscretion.

128. *Belisarius*

128. *Belisarius* dispersed the *Goths* to their own Houses, fearing no insurrection, because of the Army so near garrison'd. *Vitigis* he kept in honourable restraint. The Treasures of the Palace he seized, with intent to carry them to *Constantinople*, but suffered none of the *Goths* to be plundered, leaving them their Estates according to the Accord. Now several Towns were, by such *Goths* as held them, surrendered into his hands; but in the mean time he was traduced to the Emperour, as designing to usurp, who believed not the Accutation; but the *Persian* War pressing, sent for him to make an Expedition that way. The *Goths* hearing he was called home, at first made little reckoning of it, not believing he would be guilty of so much folly, (such they accounted it,) as to refuse the Kingdom so fairly offered; but afterwards seeing what preparations he made to be gone, and that he was in earnest, thought it time, to lay their heads together. The chieftest of those that inhabited beyond the *Poe*, betook themselves to *Uraas* the Sisters Son of *Vitigis*, whom lamenting sadly their Condition, they desired to take the government and conduct upon him, and lead them out upon some design, in the execution of which, at the worst they should but prefer a glorious Death before ignominious Slavery. As to action he agreed with them, but refused the Title of King, both because being so near a-kin to *Vitigis*, his bad success would make him despised, and he thought it not consistent with good nature to intrude upon his Uncle. He propounded to them *Ildebold* the Governour of *Verona*, a man very well accomplished, and of great Valour, whose Uncle *Theudis* King of the *Visigoths*, would in all probability for his sake, excuse their cause and quarrel. *Ildebold* then was sent for from *Verona*, invested with the purple Robe and proclaimed King, which done, he advised that *Belisarius* should be sent to, and moved to put in execution what had been lately accorded, and after they knew his mind, that they should enter into Action, and govern themselves accordingly. Ambassadors are dispatched away, who put him in mind of the late Agreement, blame him for not having performed his promise, reproach him for being a voluntary Slave, and preferring Servitude before Sovereign Authority, and provoke him by all arguments possible, to accept the Government, assuring him of the fidelity of *Ildebold* who, as they said, would willingly lay the purple at his feet, and salute him King of the *Goths* and *Italians*. But he contrary to their expectations, refused the Title, protesting that during the Life of *Justinian*, he would not meddle with any such matter; which after they had heard, they instantly departed, and made a report to those that sent them. *Belisarius* having left the charge of *Italy* with *Bessus*, *John* and some others, and ordered *Constantianus* to remove from *Dalmatia* to *Ravenna*, began his Journey towards *Constantinople*; the Winter ending, and with the fifth year of the War, the second Book of the History thereof written by *Procopius*.

Belisarius called to Rome for the Persian War.

Ildebold chosen King of the Goths.

Ildeboldus postum Ildeboldus vel Ildeboldus. Teuonicus Ildebold, eximie Alexander, Ang. High-ty bold.

129. *Ildebold* being secure of *Belisarius*, whom he knew to be upon his Journey, according to the Council formerly taken, gathered together all the *Goths* and discontented *Romans* he possibly could, and seriously applied himself to his Business, which was no less than an endeavour for the recovery of the Dominion of all *Italy*. He set up with a thousand men, and one single Town in *Picenum*; but within a while all *Liguria* and *Venetia* came dropping in to him. And his game was the greater by reason of one *Alexander* a *Logotheta* or Auditor of *Constantinople*, who having scraped together abundance of Wealth, by informations against Souldiers, whom he accused to have defrauded the Treasury; had raised much money for the Emperour, and from his clipping the Coin, had got the Nickname of *Forficula* or Scissors. Him after the recalling of *Belisarius* the Emperour sent into *Italy*, where setting up his Office in *Ravenna*, he called to account such as never had been employed, caused many to pay what they never had received, and the Souldiers for all their wounds and hazards, he requited with slender accounts and empty Tickets. Hereby the *Italians* grew ill affected to the Emperour, and the Souldiers were so alienated and indisposed to his Service, that they would not ingage their persons in any considerable enterprise, all which mightily advanced the Affairs of the *Goths*. Neither would the Commanders which *Belisarius* had left to the defence of those Parts much concern themselves. Onely *Vitalis* who lay in *Venetia*, with a great number of *Herulians* besides others, resolved to try his Fortune with *Ildebold*, before his power should grow to too great an height. A Battle was valiantly fought near *Tarvisium*, where the *Gothick* King had the better of his Enemy, who having lost most of his men, escaped and fled. This success got *Ildebold* reputation, which he no sooner had got, but as suddenly he lost it, together with his Life. A pique arising betwixt his Queen and the Wife of *Uraas*, who despised her for her mean Habit and attendance, whilst as yet her Husband enjoyed no Royal Revenue,

Procopius Belli Gothicæ, lib. 3.

Alexander Forficula being sent into Italy doeth much mischief.

Ildebold beats Vitalis.

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133. *Totilas* without delay lent Forces to besiege *Florence*, which was then governed by *John*, who having little or no Provision for holding out, sent to *Ravenna*, praying the Commanders he might be relieved. Hereupon a considerable Army was sent, and upon rumour of its approach, the *Goths* raised the Siege, and removed to *Micale* a Town distant from *Florence* a days Journey, whither, the *Romans* having left a few men in the City, pursued them, and it was agreed, that some one of the Commanders should suddenly set upon the Enemy, and the rest to march after fair and softly. The lot fell to *John*; but then again the Officers would not stand to the Agreement, so that he was constrained with his own Troops only to engage, and a sharp Encounter followed, wherein he at length had the disadvantage. Yet had the rest come up in time, slain in with him and set upon the Enemy, the day had assuredly been their own; but an unlucky Rumour being spread, that *John* was killed by one of his own Life-Guard, the Army e'er it had joyed all ran away, not in Bodies, but every man shifting for himself. Many perished in the Chase, and they who escaped were seized with such a pannick fear, that they ran on for many days, none pursuing them, till recovering the places where they thought to secure themselves, there, as it were, they hid their Heads, none of them having the least thought of turning again, but expecting severely to be Besieged. *Totilas* treated his Prisoners with such humanity, that they willingly entered into his Service against the *Romans*. And then ended the Winter, together with the seventh year of the War.

Totilas takes several places and Countries.

134. *Totilas* improving his opportunities, took in several places, and marching through *Tuscany* into *Campania* and *Sannium*, easily made himself Master of the strong Town of *Beneventum*, which he dismantled. Then with the greatest part of his Army he laid Siege to *Naples*, sending out the rest to take in *Camæ*, and other places where he raised a great Sum of money. By his civility to the Wives of several Senators, which he therein surprized, he got great Reputation, and having reduced *Bruttia*, *Lucania*, *Apulia* and *Calabria*, both seized on the publick Tributes, and private Rents, bearing himself as absolute Lord of *Italy*. Hereby the *Roman* Army receiving no Pay, was driven into great Necessities, and the Emperor contracted a vast Debt; the *Italians* betwixt them both were harassed and discouraged, and the Souldiers grew disobedient to their Officers, and were very glad to lie idle in Garrisons. *Constantianus* held *Ravenna*; *Rome*, *Spoleum*, *Florence* and *Perusia* were Commanded by *John*, *Bessas*, *Justinus* and *Cyprianus*, being the places they had fled to. The Emperor was extremely troubled to hear how matters went, and dispatched away with a good Fleet, and a considerable Army, one *Maximinus* with the Title and Character of *Præfettus Prætorio of Italy*, the better to govern the Officers, and supply the Army. He being a man altogether unpractised in War, and besides that a Coward, and of a slow Nature, loitered upon the Coasts of *Epirus*; *Justinian* after him sent *Demetrius* as his Lieutenant, who had formerly Commanded the Foot under *Belisarius*. He hearing how *Naples* was distressed, had a great mind to relieve it; but having with him but inconsiderable Forces, he Laded a number of Ships in *Sicily*, with Corn and other Provisions, hoping to fright the Enemy, who hearing of an huge Navy, expected a great Army to come along with it. Had he directly made for *Naples*, he had undoubtedly frightened away the Besiegers and done his work, but being afraid to put in there, he Sailed on for the Port of *Rome*, to gather up Souldiers, who being lately beaten by the *Goths*, refused to follow him against *Totilas*, so that he must either stay where he was, or undertake the expedition of *Naples*, with those few he had brought along with him. Chusing the latter Course, when *Totilas* had notice of his coming, he manned out many swift Pinnaces, which falling on him on a sudden, as he lay on the Coast near *Naples*, amazed and defeated all his Fleet, took all the Ships and men aboard them, except such as at first leapt into the Cock-Boats, amongst whom was *Demetrius* himself. *Maximinus* being fairly advanced as far as *Sicily*, fate still at *Syracuse* afraid of the War. The Commanders in *Italy*, especially *Conon* the Governour of *Naples*, importuned him to come to their Succour, but still he wore out the time, till tearing the Emperor's high displeasure, and wearied with the Scoffs and Revilings of all men; he resolved to stay himself and save one, but send the Army to *Naples*, under the Command of others. Now was it the depth of Winter, and the Fleet coming near *Naples*, so great a Storm took them, that the Seamen could neither use their Oars, doe any other work, nor hear one another. Doe what they could, they were driven upon the shore where the Enemy

Demetrius and *Maximinus*, lately sent by the Emperor, fruitlessly defeated.

my lay incamped, who had to ease a game of it, that they sunk Ships, and killed men as they pleased, without any resistance. Some few escaped, the rest were taken, together with *Demetrius* who was got aboard the Fleet.

Naples surrendered to *Totilas*;

who carries himself with much gallantry,

And Justice.

Matters so bad in *Italy*, as constrain the Emperor to call *Belisarius* out of *Perfia* to send him thither again.

135. Him did *Totilas* lead with a Rope about his Neck to the Town Wall, where he compelled him to persuade the Citizens to yield, by telling them that no farther Succours they were to expect, and all their hopes had perished with the Navy. Hereat the besieged being grievously dismayed, *Totilas* took the opportunity to give them good words, and offered to *Conon* and his Souldiers all Indemnity, in case they would presently surrender the City, with all security of Persons and Estates to the Citizens themselves. Being extremely pestered with Famine, they accepted the offer, and notwithstanding they had capitulated for thirty days time, to expect Succours, wherein no Hostility was to be exercised, yet urged by their necessities, they received *Totilas* within a while into the City; and presently after the Winter ended with the eighth year of the War. *Totilas* carried himself not at all like a Barbarian toward the *Neapolitans*; fearing left the languishing people should by sudden eating their fill surfeit themselves, he set Guards at the Gates, and Port, commanding no man to go out, and with a provident care gave them Food, more sparingly than their ravenous appetites required, adding thereunto insensibly every day, and increasing their allowance. Having thus restored them to their former strength, he set open the Gates, and let go as many as would. *Conon* and such of his Souldiers as refused to stay he Shipped, giving them liberty to Sail whither they pleased, who shaming to go to *Constantinople*, were bound for *Rome*, but the Winds being cross, and not able to get off, they feared he would break the Agreement and doe them mischief. But he on the contrary taking notice of their misfortune called them to him, cheered them up, and the Wind not serving for a long time, furnished them with Horses, Waggons and Provisions, and gave them a Convoy of *Goths* to *Rome*. The greatest part of the Walls of *Naples* he demolished, being inclined rather to finish the War at once by Battel, than draw it out at length, (which must make it very uncertain and hazardous,) and be ever Skirmishing with Artifices and Stratagems.

136. Either to get him a great name, or, as he himself affirmed to his Officers, being very sensible how much his Nation by their vicious living, had incurred the displeasure of Almighty God, he punished Vice with all severity. One of his Guard, though a Valiant and otherwise deserving man, and the Officers made great Intercession for him, having ravished the Daughter of a *Roman* of *Calabria*, he put to Death, and gave his Estate to the Woman he had abused. In the mean time, the *Roman* Army acted all things quite contrary, leaving no insolence unpractised against the poor *Italians*. The Officers lived riotously with their Mistresses in the Garrisons, having the Souldiers disobedient and full of all sorts of disorders. The poor Country-man groaned under both the Armies; the *Goths* taking his Lands, and the *Romans* his Goods, by both he was beaten like a Slave, and his Meat eaten out of his mouth. *Constantianus* troubled hereat, wrote to *Justinian*, protesting his disability to wage War with the *Goths*; the Commanders signing the Letter, which was no other than a plain and open confession of their fear and cowardise. *Totilas* having now his mind upon the City of *Rome*, thought fit first to trie whether by Letter he could procure the Senators to joyn with him, upbraiding them much with the ingratitude they had shewn to the Family and Nation of *Theodoric* and *Amalasuntha*, and exaggerating the wrongs they had received from the *Greek* Emperours and their Armies. *John* forbade the Senators to answer him; whereupon he privately conveyed other Papers into the City, no body knew how, but they were posted up by Night in the most remarkable places, and discovered in the Morning. The *Arian* Priests were suspected, and turned out of *Rome*. And *Totilas* perceiving that this Artifice would not take, resolved no longer to use fair means, but sending part of his Army into *Calabria* to take in *Otranto*, he himself with the rest of the Forces, went against the Towns lying about *Rome*. The News much perplexed the Emperor, who though the *Persian* War lay heavy upon him, found himself necessitated to call back *Belisarius*, and send him the second time into *Italy*; *Amo Justin. 12. Chrisl. 544.*

137. After the Ratification of the Peace, the State of both Princes was endangered by seditious attempts; that of the Emperor by the Commotion of the Common sort, called *Nica*, as we formerly shewed; and the other of the *Persian*, by a Conspiracy of certain

Redundum ad hujus Sect. pag. 20.

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A great Conspiracy against Chofroes detected.

certain of his Nobility, after this manner. *Chofroes* himself was a man of a perverse, unruly and turbulent Spirit, which made some of his stirring Subjects so weary of his Government, that they consulted how to make another King, out of the Family of *Cabades*. *Zames* the next Heir, being by the Laws excluded, because of a main in one of his Eyes, they agreed to promote his Son, and that he as his Protectour, should manage publick Buſineſs. But *Chofroes* had the Plot revealed to him, and sent all the Conſpiratours to another World, with all the Male iſſue of *Zames*, one only excepted, *Cabades* by name, who being foſtered by *Adergudunbades* the General, (whose Wife preſerved him, notwithstanding the King's expreſs Command he should be put to Death,) it coſt the old man his Life, after that the King came to know of it, though he had done excellent Service, and ſubdued twelve Nations under the *Perſian* Yoke. For his own Son revealed it, and, after his Father was treacherouſly Slain, as a reward ſucceeded him in his Office. *Cabades* being ſent out of the way eſcaped, and either he or one that uſurped his Name, came long after to *Conſtantinople*, and was, as the Grand-Child of that great King, honourably treated by *Juſtinian*. But the Emperour's affairs proſpering in *Africa* under the Conduct of *Belifarius*, *Chofroes* and his *Perſians* were much vexed, repenting they had made a Peace, and thereby given liberty to the *Romans* ſo to increaſe their power. *Chofroes* by his Ambaſſadours in meriment, demanded his ſhare of the *Vandal* ſpoils, as having by the peace been a great procurer of the Conqueſt. *Juſtinian* thought it fitting not to diſoblige him by any harſh return, but ſent him a conſiderable preſent in money.

138. The Peace was indeed very reaſonable for the Emperour's affairs, and that in more reſpects than that of the *African* War or Conqueſt. For in the Eaſtern parts, not long after the Ratification, one *John* a Souldier of the Garrison of *Daras*, revolted and ſet up for himſelf, which Uſurpation had certainly been very miſchievous, had the enmity continued betwixt the *Perſians* and *Romans*; but the Peace being made, *Chofroes* would not lay any new foundations of a Quarrel, by fomenting this Rebellion, and the Uſurper was Slain, when he had enjoyed his precarious Dignity not many days. Yet though he took no advantage of this Sedition, and digeſted indifferently the Conqueſt of *Africa*, his Concoction being furthered by the late golden Cordial he had received from *Conſtantinople*, when he heard of the ſucces of *Belifarius* in *Italy* alſo, the Conqueſt of that Country would not down; he could now hold no longer, but he muſt find ſome ſpecious pretext or other to renew the War. He made uſe of *Alamundarus* the *Saracen*, who laid claim to a Country called *Strata*, ſituate to the South of *Palmyra*, bearing neither Trees nor Corn, but nourishing ſome flocks of Sheep. *Arethas* claimed it as belonging to the *Romans*, the Title he ſaid being ſufficiently made out by the name, and the teſtimonies of the oldeſt men then living; *Alamundarus* reſuſed to diſpute about names, and alledged that the Inhabitants had anciently paid him Rent for Paſturage. Much time was ſpent in the Arbitration, during which *Chofroes* complained that *Juſtinian* had practiſed againſt his Crown, by endeavouring to gain from him *Alamundarus*, who had been importuned with offers of great Sums of money to revolt. He produced the Emperour's Letters written to *Alamundarus*, and affirmed that he had alſo written to the *Hunnes*, to invade the *Perſian* Dominions, who had ſent him the very Originals themſelves. When upon theſe pretences, true or falſe, he reſolved to break the Peace, he was thereto farther excited and encouraged by the Ambaſſadours of *Vitiſius*, who, as we formerly hinted, hired two *Ligurian* Priſts to undertake the Journey, and perſwade the *Perſian* that the day of the fall and ruine of the *Goths* would certainly be the Cave of his own Deſtruction. Not conſidering the intereſt of thoſe that ſent them, he reſolved to take their advice, and give a ſtop to the Emperour's growing power, at whoſe Succes and Conqueſts he every day more and more gruded; the *Armenians* and *Lazians* alſo ſtirring his gall, by diſcourſes concerning the inſufferable ambition of *Juſtinian*.

139. Some unlucky accidents alſo happened, which much exaſperated the *Armenians* againſt him. One *Simeones*, who had delivered up *Pharangium* to the *Romans*, had begged of him ſome *Armenian* Villages in the heat of the War, and being not long after Slain, by ſuch as formerly poſſeſſed them, the Emperour gave them to *Zamazepes* his Siſters Son, making him withall Governour of *Armenia*. Not long had he continued, when one *Acacius* a follower of *Juſtinian* accuſed him of Conſederacy and ſecret Intelligence with the *Perſians*, and having by his directions treacherouſly Slain him, was made Governour in his place. He was a man of a moſt wicked and ravenous diſpoſition, ſo haraſſing the *Armenians* by new Impoſitions, that not able to endure his Cruelty, they Conſpired together and killed him, who,

John the Uſurper Slain.

Chofroes envying the ſucces of Belifarius breaks the Peace.

Egged thereto by the meſſage of Vitiſius.

Sits in Armenia.

Procop. de bell. Perſico lib. 1.

Idem lib. 5.

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done, they ſeized on *Pharangium*. The Emperour hearing the news, ſends *Sittas* from *Conſtantinople* againſt them, and he makes a flow War, labouring by fair means to regain them; but for this being reproached by *Juſtinian* at the intigilation of *Adolius*, the Son of *Acacius*, he endeavoured to gain to his Party the *Apertians*, a conſiderable People among them, the better to overcome the reſt. Upon aſſurance of indemnity they agreed to join with him; but it happened that the Inſtruments of the Agreement being ſent them, never came to their hands, and thereupon a jealouſly ariſing on both ſides, they prepared for battel, and the fight began very tumultuouſly by reaſon of the unevenneſs of the ground. He had rather the better, forcing his Enemies to retire; but being made known to them, and his Lance being accidentally broken, they bore back upon him, and ſlew him, being a man of a goodly preſence, and ſcarcely inferior to any Commander of his time. *Sittas* being dead, the Emperour ſent *Bazes* to ſucceed him, and the *Armenians* ſeeing there was no hope of reconciliation, betook themſelves to *Chofroes*, to whom in many words they aggravated the ambitious purpoſes of *Juſtinian*, who troubled, as they ſaid, all the World with his Arms, and at the beſt only reſerved but the *Perſian* Dominions for his laſt Morſel, when he ſhould have devoured all the Weſtern Countries. As encouragements, they told him, they had ſlain one of his two beſt Commanders: and as for the other, *Belifarius*, they were very confident he was ſo jealous of his Military Glory and Intereſt, that he would not employ him. He liked well both of their Propoſitions and Reaſons, and having as ſtrong an inclination himſelf to the breach of the Peace, it was reſolved in Council to make war upon the *Romans* in the beginning of the Spring. This was towards the end of Autumn, and the thirteenth year of *Juſtinian's* Reign, wherein happened the great Famine in *Italy* we formerly ſpoke of.

140. The *Romans* were ſurprized, not the leaſt ſuſpecting any breach of the Peace, hearing only that *Chofroes* murmured againſt *Juſtinian's* Succesſes in the Weſt, and breathed out his diſcontent in the charges lately mentioned. Yet a Comet which appeared at this time in *Capricorn*, at firſt about the length of a tall man, afterward much longer, with its Tail turned toward the Eaſt, the Sun being then in *Sagittarius*, much amazed them. Immediately after a great Army of *Hunnes*, paſſing the River *Iſter*, overrran all *Europe*, a thing ſometimes done, but never with ſuch miſchief as now it happened. From the *Adriatick* Sea, which *Procopius* calls the *Ionian* Gulf, they waſted all Countries as far as *Conſtantinople*; and having never formerly attempted any walled Town, took thirty two Caſtles in *Thyſtrum*, and deſtroyed *Caffandria* (of which in Ancient times we have heard much under the name of *Potidaea*) which done, with one hundred and twenty thouſand Captives, and much Booty, they retired home. Afterward they did much more miſchief in ſeveral other Inroads. They forced their way over the Wall of the *Cherſoneſus*, ſlew many of the Inhabitants, and made Slaves of moſt of the reſt. Some croſſing the Strait betwixt *Sesſus* and *Abidos*, waſted *Aſia Minor*; others having ſpoiled *Iſlyricum* and *Theſſaly*, aſſaulted the Wall at *Thermopylae*, where the Garrison ſtoutly demeaned it ſelf, but they unluckily ſcund the path up the Mountain, and entering *Greece*, waſted all except *Peloponneſus*, and ſo retired. Not long after, the *Perſians* breaking the Peace, openly infeſted the *Roman* Territories, at ſuch time as *Belifarius* had ſubdued *Vitiſius*, and brought him to *Conſtantinople*. Before the Invaſion, *Juſtinian* perceiving *Chofroes* to quarrel, and be much out of humour, ſent a kind of Remonſtrance to him by one *Anaſtaſius*, a prudent man, who had ſuppreſſed the Rebellion at *Daras*. Herein he answered the things laid to his charge, complained of *Alamundarus* for foraging the *Roman* Territories, and with much ſeriouſneſs laid before him the great inconveniences which follow ſudden and raſh reſolutions in point of War. *Chofroes* answered not a word, neither yet would he diſmiſs the Meſſenger.

141. But towards the end of Winter, and of the thirteenth year of *Juſtinian's* Reign, (for he was declared Emperour, together with his Uncle, the third day before Eaſter) he entered the *Roman* Territories with a great Army, holding on his courſe toward *Syria* and *Cilicia*, till he arrived at the City of the *Surenians* upon *Euphrates*. This Town, notwithstanding his faith given to the Biſhop thereof for their indemnity, he moſt cruelly burnt to the ground; having killed moſt of the men, and made all the reſt Slaves, becauſe they had not yielded at the firſt ſummons, and for a terror to others. Yet either out of covetouſneſs, or for the love he bore to *Euphemia*, whom being one of theſe Captives, and very beautiful he made his Wife, and infinitely doted on her, he yielded that upon ſecurity given for two Centenaries of Gold by *Candidus*, Biſhop of *Sergiopolis*, thoſe that remained, to the number of twelve thouſand, ſhould be ſet at liberty; although his mercies were ſo cruel,

Sittas ſlain.

The Armenians break themſelves to Chofroes.

A Comet.

The Hunnes overrrun Europe.

The Perſians break the Peace.

Juſtinian writes to Chofroes,

Who invades the Roman Territories with a great Army.

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so cruel, or his kindness so empty and barren, that the greatest part of them perished through the effects of those miseries they had already undergone. Now in a braving manner did he fend away *Anastafius*, willing him to declare to *Justinian* in what part of the World he left *Chofroes*, the Son of *Cabades*; and then march he forward. *Buzes*, who commanded all the East in the absence of *Belisarius*, understanding what had happened to the *Surenians*, seemed to buckle himself to a strenuous resistance, and gave good Council to the Inhabitants of *Hierapolis*, that in case of a siege, they should neither with their few numbers engage the whole *Persian* Army, nor yet keep all their men in the Town, but guarding the City with a sufficient number, lodge the rest near at hand at the bottom of the Mountains, whence by their frequent Onsets, both upon the Enemies Camp and Foragers, they might either force him to raise his Siege, or make his Assaults uneasy, and cut off from him all sorts of Provisions. This Council he gave, but meant never to practise any thing himself, going away speedily with the choicest part of the Army, no man, either Friend or Foe, knew whither, nor what was become of him. *Justinian* hearing of the Invasion, sent away *Germanus* his Brother's Son in much haste with three hundred men, and a promise that a great Army should suddenly follow.

Buzes runs away.

Germanus sent into the East.

Chofroes gets much money from the Roman Towns.

142. *Germanus* being come to *Antioch*, first applied himself to fortify the City, but perceiving his attempt to be vain for want of time, and that to begin, and not perfect, would but shew the Enemy which way to commence the War, he desisted from this enterprise; and when both he and the *Antiochians* considered that the promised Army came not from the Emperor, and that in all probability *Chofroes* would make for that City, they resolved in Council to buy him off with money. To negotiate the business with him, they chose *Megas*, Bishop of *Berrhæa*, a prudent man, who could not with all his wife Reasons charm the rude and unquiet humour of the King, but at last brought him to these Terms, that for ten Centenaries of Gold he should quit all the Eastern Provinces. But before the Bishop could fetch the Ratifications, he wrested 2000 *li.* weight of Silver from those of *Hierapolis* to save their City, and refused to accept of less than twice as much from the *Berrhæans*, because their Walls were much weaker. They offered him the 2000 *li.* but as for more, they protested they could not pay him; and when he pressed upon their City, they relinquished it, and fled by night to the Castle, where being but one Spring, and that drank up by the Cattle, they presently found themselves in a lamentable estate. *Megas* could not with all his Rhetorick persuade the *Antiochians* to the Agreement he had made with *Chofroes*, being kept off by *Julian*, the Emperor's Secretary, who was sent Ambassadour to *Chofroes*, together with *John*, the Son of *Rufinus*, and forbade them expressly to give money to the Enemy, or sell the Emperor's Towns. *Megas* returning to *Chofroes* was much afflicted, finding him so closely besieging his own Fellow-citizens; for they were reduced to the utmost extremity, the *Persian* Army having entred, and seized the Town. He expostulated with him about his perfidious dealing in such terms, and used such arguments, cries, and intreaties, that assuring him they had no more money than the sum they had offered, he procured the liberty of those poor men. According to the Faith he had given them, they were suffered to goe whither they pleased, and amongst them some of the Souldiers. But the greatest part of these revolted to *Chofroes*, complaining of the sad condition they were in, being behind in their pay for many years, and went with him afterwards into *Persia*.

Besieges Antioch.

143. *Chofroes* perceiving from *Megas* that the *Antiochians* would part with no money, march thitherward, and encamping near the River *Orontes*, sent to demand the ten Centenaries of Gold, which if he should receive, he seemed willing to pack up, and be gone. Thither went the Ambassadours, betwixt whom and him passed much discourse and expostulation to no purpose. The common and light sort of People of *Antioch* from the Walls flouted and derided him, and almost had stoned his Interpreter, wherewith enraged, he resolved presently to give an Assault. The Wall being weakest at the top of the Hill, and the Places where the Besieged were to fight being narrow, they tied long Beams together between the Towers, and enlarged the standings for more men to oppose the Assaults. The great breadth and height of the Rock commanded the Wall, and caused the Fight to be equal, as upon even ground, and here lay the disadvantage of the *Romans*. Yet had they put out but three hundred men, possessed the Rock first, and kept off the Enemy, in all probability the Town had not been endangered, the Barbarians having no means to assault, being beaten perpendicularly both from the Rock and Walls. But this being neglected, and consequently the defence very difficult, and the service hot at the Rock; when the *Romans* pressed up to make resistance, the Ropes which tied

The Defendants manage their matters.

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The Defendants manage their matters.

the Beams suddenly broke, and down they all fell. They who made good the Towers, hearing the noise, imagined that the Wall was broken down, and ran away. Then did the old Souldiers take their Horses, and rode to the Gate, giving out they were to receive *Buzes* and his Army. Thither ran also the *Antiochians*, Men, Women and Children, and pressing out altogether, the Souldiers bore them down, and many were killed in the crowd. The *Persians* set to their scaling Ladders, and mounted without any opposition, which made them fear some stratagem, and take care how they descended through the Rocks and Precipices from the Hill. *Chofroes* esteeming all things less than the taking of the City, gave the Souldiers fair leisure to run, the *Persians* pointing at them with their hands, and bidding them haste and get away. When they saw them and their Commanders got out at the Gate of *Daphne*, they fairly descended into the midst of the City.

The City taken.

And burnt.

An agreement.

Chofroes robs Cities in his Retreat.

144. Here at first they were encountered by some rash young men, who laying at them with stones, and forcing them to change their place a little, seemed to themselves to have the better, sung their *Pæan*, and cried *Justinianus Callicinus*, as if indeed they had got the victory. In the mean time *Chofroes* sitting upon a Tower by the top of the Hill, sent for the Ambassadours to come to him, which being taken notice of by *Zaberganes*, one of his Commanders, he fearing a composition would be the product of a Conference, came to him, shewed him the present estate of the *Antiochians*, and dissuaded him from yielding to those who were already conquered, and had nothing but fury and desperation to bear them up. *Chofroes* apt enough to be persuaded, sent some of his best men against them, but news was presently brought that the work was done, and the *Persians* were Victors, who so far improved the Victory, as neither to spare Sex nor Age. All sorts of misery fell upon the poor Inhabitants, the *Persian* King shedding Crocodiles Tears, and pretending to be moved with pity and commiseration, though he was the most false, perfidious and fordid man alive. He commanded his men to make Slaves of such *Antiochians* as survived, and to take the spoil of the Town. He himself took out of the Church a vast Treasure of Gold and Silver, caused many admirable pieces of Marble to be taken down, to be transported into *Persia*, and then gave order to burn the City, the Church being preserved through the great instance and importunity of the Ambassadours. But not only did they burn the whole City (the Cathedral excepted, with some Houses that stood towards a Corner, and joined not to other Buildings) but what was without the Walls, except the Church of St. *Julian*, and the Houses about it, where the Ambassadours lodged, besides the City Walls they wholly forbore. And thus perished the greatest, the fairest, the most populous, the richest and happiest *Roman* City in the East, (whose beauty and magnificence appeared even in its very Ruins) by the most impious of all men living, which thing much startled *Procopius* the Historian, though at last he resolves all into the Equity and Justice of Divine Providence.

145. The Ambassadours, as they had reason, touched with a sense of so sad a spectacle, could not forbear to lay before him his perfidious dealing, to which he answered, and alledged some things specious, and some things palpably false, to lay the load upon *Justinian*. After many Recriminations and Arguments, it was accorded that the *Romans* should pay to him fifty Centenaries of Gold, and a perpetual yearly payment of five more, not in way of Tribute, but for guarding the *Caspian* Gates, and quitting all pretences to *Daras*, and this colour *Chofroes* himself would put upon it. Hereupon no more Acts of hostility were to be committed, but receiving hostages for performance he was to depart speedily into his own Countrey, whither other Ambassadours should be sent by the Emperor to treat and settle a lasting Peace. He accordingly retreated, but notwithstanding the Truce, yet robbed several Cities in his march, wresting from that of *Apamea*, which offered him 1000 weight of Silver, ten times as much, even all their Treasures of Gold and Silver, which were very great; and from the poor City of *Chalcis* (distant ten miles and a half from *Berrhæa*) two Centenaries of Gold. Neither was he minded to return the same way he came, but to cross *Euphrates*, and rise *Mesopotamia* in his passage. Having crossed the River near *Obbæe*, he was very ambitious to become Master of *Edessa*, induced by a confident Tradition, then amongst Christians, that it was never to be taken, by reason of a certain Letter which our Saviour *Christ* was said to have written to *Agbarus*, at that time Toparch of the Countrey, whereby he promised amongst other things, that this City should never be conquered by Barbarians. The Epistle, if we may believe *Procopius*, they ingraved upon their Gates for a defence; and when *Chofroes* had lodged his Army three miles off, and by break of day marched towards *Edessa*, they went out of their way so far, that the

157500 *li.*
15750 *li.* Ster.

Seçt. 1. next night they lodged in the same place, and this happened twice unto them. At length, when with much ado he had got to the Town, his Chops, as it was reported, swelled with Rheum, which so much astonished him, that he resolved not to attempt the Place; but he sent his Interpreter, and demanded money of them. They sent him word, that of their City they had no fear; but to prevent the waiting of their Towns and Villages, they would give him two Centenaries of Gold, which he received, and in this matter kept the Agreement.

146. Now came Letters from *Justinian* agreeing to ratify the Treaty between him and the Ambassadors, whereupon he discharged the Hostages, and prepared for his Retreat. He condescended that the *Antiochian* Captives should be ransomed, and the Citizens of *Edeffa*, to their great commendation, offered whatever they had toward so pious a work; but the Design was crossed by *Buzes*, who expected to raise some profit out of it. But *Chosroes*, notwithstanding the Emperor's Letters, and his full Agreement, yet could not forbear pillaging the Country in his passage; and being come to *Daras*, he fairly laid siege to it. He sprung a mine, and had undoubtedly taken it, but that the thing was discovered seasonably by a man (or more than a man, saith the Historian) who coming from the *Persian* Camp, seemed to gather up the scattered Arrows, and warding with his Shield, as if he jeered those upon the Battlements, told them where their danger lay, and bad them carefully provide for their safety. Then did the Besieged by a cross Mine defeat the purpose of their Enemies, which *Chosroes* perceiving, and seeing there was no hope of taking the Town, capitulated for a thousand pound weight of Silver, and went his way. *Justinian*, by this attempt upon *Daras*, protested that the Peace was broken, and refused to stand to the Ratification. *Chosroes* in *Assyria*, a days journey from *Ctesiphon*, built a City, wherein he bestowed the *Antiochian* Captives, and called it *Antioch of Chosroes*. He maintained them at the publick charge, nor like Captives; gave them the name of *Basilici*, as exempt from the jurisdiction of all Magistrates, except the King; built them a publick Bath, a Cirque, and furnished them with other delights, bringing from *Antioch* and the neighbouring *Roman* Cities Chariotiers and skilfull Musicians. If a *Roman* Captive fled thither, and was challenged for a Kinsman by any of the Inhabitants, he might not be taken thence by his Master, of what quality soever he was. At this time *Belisarius* received orders to return to *Constantinople*, where having wintered, at the beginning of the Spring he was sent General against *Chosroes*, with the Officers that accompanied him out of *Italy*. Of his *Gothick* Prisoners *Vitigis* staid at *Constantinople*; the rest served with him against the *Persians*, and to what purpose we shall shortly see.

Chosroes builds a City call'd *Antioch of Chosroes*.

147. Whilst *Belisarius* made haste to prevent any new Invasion of *Chosroes*, he in the mean time led an Army into *Lazica*, being invited by the Inhabitants upon this occasion. The *Lazians*, who first dwelt in *Cholchis*, were subject to the *Romans*; not to payment of Tribute; but when their King died, the *Roman* Emperour was wont to send to his Successour Ensigns of Majesty. They guarded the Marches of the Countrey, and hindered the *Hunnes*, their Neighbours, from invading the *Roman* Territories; receiving for this no money, nor Souldiers; nor serving in the Emperour's Wars, onely they traded with his Subjects of *Pontus*, bartering their Native Commodities, as Skins, Hides and Slaves, for Corn, Salt, and other things which their Countrey wanted. But upon account of *Gurges* King of *Iberia*, there being some *Roman* Forces lodged in *Lazica*, they were very unruly, and *Peter* their General was so rapacious, as very much discontented the People. This was in the time of *Justin*; and when *Justinian* came to the Government, he sent several Commanders into *Lazica*, and at last *John Tribus*, a man raised from mean condition, and advanced to this Command onely for being the wickedest of all men, and a most fit person, by right or wrong, to raise Money. He persuaded the Emperour to build a Town upon the Sea, which was called *Petra*, wherein he Lorded it, and tyrannised over all the Countrey; for he prohibited Merchants to import Salt, or any other Wares to the *Lazians*, setting up a Monopoly, and selling to the People at what rates he listed. Upon this account, and by reason of the unusual burthen lying upon them from the *Roman* Army, they were much discontented, and at last resolved not to endure it, but revolt unto the *Persians*. There was no need of using many Arguments to *Chosroes*, to accept the protection of them, though their Ambassadors insisted upon the convenience he would have of infesting the *Roman* Territories by Sea; the onely difficulty lay in the unpassableness of the Countrey. But they told him, that by cutting down Trees, and casting them into the ill Places, the way might be made easie enough for his Forces to march, and they themselves promised to be his Guides, and to work in the head of the Army.

148. Char-

Seçt. 1. 148. Charging then the Ambassadors not to make known their Negotiation, he gathered together a great Army, not revealing his Intent to any but his most inward Counsellours, and pretending a Journey into *Iberia*, where a Nation of *Hunnes* was reported to invade the *Persian* Confines. And he had this advantage by his secrecy, that the Spies which *Belisarius* sent into *Persia* assured him there would be no invasion of the *Roman* Territories, the King being engaged in a War with the *Hunnes*. But *Belisarius*, believing there would be no invasion by *Chosroes*, resolved to take the advantage which the pretended *Hunnish* War would afford him, and to enter *Persia* with a considerable Army. All his Officers concurred with him, onely *Requithancus* and *Theodisius*, Commanders of the Forces in *Phoenicia Libani*, though they approved of the Invasion, yet feared in their absence that *Alamundarus* the *Saracens*, would forage *Phoenicia* and *Syria*, and that the Emperour might be offended with them for neglecting their charge. Hereupon they hung back, and refused to join in the Expedition; but *Belisarius* told them, they imagined that which would not be; for in Summer, for two months of that Season, the *Saracens* intended Religion, onely busied themselves in the Service of their God, and made no Inroads; but in case there should be occasion, he promised to dismiss them and their Troops within two months, and commanded them to march along with him. *Chosroes* by this time taking that course the Ambassadors had directed him, passed through *Lazica* without interruption, and came into the middle of the Countrey, where the Poets feign the Story of *Jafon* and *Medea* to have been acted. Here *Gubazes*, King of the *Lazians*, came and adored him as his Liege Lord, surrendering, together with himself, his Royal Palaces, and the whole Countrey into his hands, except *Petra*, which *John Tribus* held with a *Roman* Garrison. *Chosroes* sent a Party under command of *Aniavedes*, to surprize this Town, but by a Strategem of *John*, who unexpectedly issued out upon him, when he thought there had not been a Souldier in the Town, so silent they were, he was beaten back; at which the King enraged, some day, crucified *Aniavedes*, then with his whole Army he begirt the Town, and after *John* was killed with a shot, by a Mine made the narrow entrance into the City passable, and the *Romans* affrighted, yielded upon composition for their Lives and Estates. *Chosroes* finding in *Petra* much Wealth belonging to *John*, was, contrary to his wonted humour, therewith satisfied; and not suffering the Goods of the *Romans* to be toucht, permitted them to live and mingle with the *Persian* Army.

Chosroes comes into *Lazica*.

Takes *Petra*.

Belisarius faces *Nisibis*.

Takes *Sisibranum*.

He and *Chosroes* both retreat.

149. *Belisarius* hearing nothing of these Matters, marched with his Army towards *Nisibis*, which he faced and skirmished with a Party that sallied out against him. The *Persians* slew fifty of the *Romans*, and took the Ensign of *Peter*, General of *Armenia*, who had a particular Post assigned him; but *Belisarius* coming in to his relief, beat them back within their Walls, killing one hundred and ten of them; and though they set up the Ensign as a Trophy on their Walls, and braved the Enemy, yet durst they say no more out of their Fortifications. Having no hope to take *Nisibis*, he marcht on to a Fort called *Sisibranum*, full of Inhabitants, besides eight hundred of the choicest *Persian* Horse, commanded by *Blechnames*, a Person of great quality. But having not laid in any Provisions, they were prevailed with by promises and fair words to yield. The Inhabitants being Christians, and anciently *Romans*, the General treated with all fairness and civility; the *Persians*, with *Blechnames*, he sent to the Emperour, who caused them to be transported into *Italy* against the *Goths*. E'er this Castle was taken and demolished, he considered there was no marching any farther; and resolved to send *Arethas* with his *Saracens*, being men unfit for Assaults, but excellent Plunderers, with some of his best Souldiers commanded by *John* and *Trajan*, to enter and harass *Assyria*. They passed the River *Tigris*, and finding good Pillage, ransacked many Towns, and got great Wealth, of which *Arethas* fearing he might be deprived by the *Romans*, refused to return to the Camp, as he had been ordered, and causing a report to be spread of a great Army at hand, at the Rivers side, advised *John* and *Trajan* to return some other way into the *Roman* Territories. The Army of *Belisarius* hearing nothing of these Forces, were distracted in their thoughts. The Heats were so great, that the Souldiers, especially those of *Thrace*, could not endure them, stirring much, and lying in close Cabbins, so that a third part of them lay half dead of Fevers. All earnestly desired to return, and *Requithancus* and *Theodisius* now alleged, that the consecrated Time of the *Saracens* being at an end, the Towns of *Libanus* and *Syria* would become a prey to *Alamundarus*. It was resolved therefore in a Council of War to make a speedy retreat. *Chosroes* in the mean time having taken *Petra*, had the news of *Belisarius* his Invasion, and what *Arethas* had done beyond *Tigris*. Leaving there-

The *Lazians* revolt to *Chosroes*.

Sect. 1. fore a Garrison in *Petra*, he marched back into *Perfia*, with the rest of his Army, his Prisoners and booty. *Belisarius* was sent for by the Emperour to *Constantinople*, and there spent the Winter.

In Spring *Chofroes* makes a third Invasion.

150. In the beginning of the Spring, *Chofroes* invaded the *Roman* Territories the third time with a great Army. *Candidus* Bishop of *Sergopolis*, having not kept his word with him, he Imprisoned and tortured, whereby he procured much Treasure out of the Church, but besieged the City to no purpose. Being come into *Comagena* (or *Euphratesia*), he neither foraged the Country, nor took Towns as formerly, but resolved to make a farther Journey, and pass directly for *Palestine*; for, hearing this Province was very fertile and well Inhabited, he longed to take the spoils thereof, and especially of the Treasures of *Jerusalem*. The *Romans* in his passage made no resistance, thinking it sufficient that they secured themselves in their Garrisons. *Justinian* hearing of the Invasion, again sent away *Belisarius*, who passed by Post with great speed into *Comagena*. *Justus* the Emperour's Brother's Son, with *Buses* and some other Officers were got into *Hierapolis*, and sent for *Belisarius* to come to them; but he liked not their advice, and went to *Europus* a Town Situate upon *Euphrates*, where he fell to levying of an Army, and called the Officers away from *Hierapolis*. *Chofroes* hearing he was come hither, marcht no farther but dispatcht *Abandanes* one of his Secretaries to him to complain that the Emperour had not sent his Ambassadors to ratify the Treaty. *Belisarius* having notice of his coming, chose out six thousand of the goodliest of his men, as if he would send them out to hunt. He ordered *Diogenes* one of his Lancers, and *Adolius* the Son of *Acacius* an *Armenian*, and one of those Officers near about the Emperour, which the *Romans* called *Silentiarii*, being also at present Captain of the Forces in *Armenia*, to skirt along the shore of *Euphrates*, and at times to make shew of passing the River and invading the Country. He himself when the Ambassadors was at hand, retired to his Pavilion made with Boards according to the custome, that he might seem to be in a poor Town without Provisions. On the one side of the Pavilion stood the *Thracians* and *Illyrians*, behind them the *Goths*, next the *Herulians*, and then the *Vandals* and *Moors*. They took up much ground, nor standing still but walking at a distance, and lookt carelessly and confidently upon the Ambassadors. None had his Mantle on, but Linen Coats like Women girt about them, holding in their hands an Horseman's whip. For Arms, some had Swords, some Battle Axes, others Bows only, looking like Hunters that gave the chase to wild Beasts.

151. The Ambassadors coming to Audience, said it was a foul Indignity, that *Cæsar* (so the *Persians* called the Emperour,) had not sent Ambassadors about the Articles, and that thereby his Master was constrained to enter the *Roman* Territories in an hostile manner. *Belisarius* with a smiling countenance, and a look altogether void of trouble or fear, answered that *Chofroes* made War quite after another manner, than other Princes used, who first were wont to demand their right, and if they were refused, then betook themselves to Arms; whereas he being first entered into the Bowels of the Empire, did not shame to talk of Peace; and with this he dismissed the Ambassadors. *Abandanes* returning, perswaded his Master to lay down his Arms and be quiet, for he had light upon a Captain, the stoutest and the wisest in the World, and upon such Souldiers, as eye never beheld the like, whose order and demeanour he could never sufficiently admire. Besides he told him, the match betwixt them was very unequal; for if he overcame, he should but vanquish a Slave of *Cæsar's*, but should he be defeated, he should get infinite dishonour to himself and his House. If the *Romans* should be beaten, they might escape into their Fortresses, being in their own Country; but if his Army should be worsted, not one would escape to carry the News into *Perfia*. *Chofroes* moved by these reasons, had a mind to go home, but march back again through the Wilderness he could not, his Provisions failing: he knew the passages of the River to be Guarded, but in conclusion thought it best, though with hazarding of a Battel, to get over the River, and to make his Retreat through a plentiful Country.

152. *Belisarius* knew well that one hundred thousand men could not stop his passage, much less could he do any thing effectually with his small Numbers. Now he concluded it better policy, to make him a Bridge than to hinder his Design, and therefore fearing that *Diogenes* and *Adolius* might interrupt his quitting the *Roman* Territories, he sent them orders to forbear, and so *Chofroes* speedily making a Bridge, passed with his Army over the *Euphrates*. This was done with much ease, for the *Persians* had ever ready in their marches great Iron hooks, wherewith fastning long Timber together, they could make a Bridge with great Expedition. Being got on the

Belisarius by his cunning, causes *Chofroes* to retreat.

the other side, he sent to tell *Belisarius* that he had gratified the *Romans* by his Retreat, but he expected Ambassadors from them immediately. *Belisarius* also went over the River, and sent to *Chofroes* to commend his Resolution of Retreating; he promised that Ambassadors should speedily be dispatched after him from the Emperour to finish the Articles accorded, and he desired him that in his passage, he would treat no otherwise than as friends the *Roman* Subjects. This he promised, on condition he might have some Principal man for Hostage, and accordingly *Belisarius* sent him from *Edessa*, *John* the Son of *Basilius*, though fore against his mind, being the chief man of that City, both in respect of Birth and Fortune. But e'er the Hostage could reach him, he neglected the agreement, and in his way not able to bridle his humour took *Callinicum*, wherein were none to defend it. For their Walls being just at this time in mending, and therefore part of them down, upon report of his approach, the wealthier sort carried out their goods, and retired to other strong places. The rest with many Peasants that flockt thither continuing in the Town without any Garrison, he made Slaves, and laid the City even with the ground. Shortly after receiving *John* the Hostage, he retired into his own Country. The *Armenians* who had revolted to *Chofroes*, took assurances from the *Romans*, and with *Bassaces* went to *Constantinople*. Thither also was *Belisarius* sent for, being, and that worthily, highly admired and extolled by all men; for, this action of sending away *Chofroes* seemed to surpass his Triumphs, over both *Vitigis* and *Gelimer*. Certainly it was a matter of great moment, when the *Romans* were terrified and hid in their strong holds, and *Chofroes* with an huge Army was in the midst of their Country, for a General, coming Post from *Constantinople*, to incamp with a few in the very face of the Enemy, to stop his passage, and then either frightening him with his good Fortune and Valour, or deceiving him by Art, to make him in effect run away, and really to desire and exchange Peace for War, after a tedious and fruitless expedition. This his prosperity, which seemed hitherto constant and unmatchable, the Emperour resolved farther to try in the War of *Italy*, where things at this time went very ill, upon what occasion we shew'd e'er our pen left the History of that Country. Though his fortune now began to change, and shew the fickleness of her own nature, with the lubricity of all humane greatness and excellency, yet having followed him in his prosperous Estate, we shall not leave the conduct of so great a Captain, in his adverse Condition, but accompany him into that Country, and leave *Chofroes* a while to ruminate upon his late great Atcheivement. But here in our Journey we had like to have been prevented by a sad accident, which being more destructive than War it self, had almost effected a Peace by taking away the Persons, and consequently the quarrels of both parties.

The King takes *Callinicum* in his passage, and demolisheth it.

Belisarius deserv'dly admird.

A dreadful Plague.

153. This was a Plague which almost consumed Mankind, of which *Procopius* concludes there was no other cause, than the immediate hand of God himself. For it neither came upon one part of the World alone, nor in one season of the year, whence subtle wits (as he saith) might fetch pretensions. It afflicted the whole World and all Conditions of men, though of never so contrary a nature and disposition, sparing no Constitution nor Age. The difference of men as to their places of Dwelling, Diets, Complexions, Inclinations or any other thing did no good in this Disease. Some it took in Summer, some in Winter, and others in other seasons. It began amongst the *Aegyptians* of *Pelufium*, and spread to *Alexandria* with the rest of *Egypt* one way, and the other to those parts of *Palestine* which border upon *Egypt*. From thence it travelled to the utmost bound of the world, as by set Journeys and Stages, making destruction its onely business, and sparing neither Island, Cave, nor top of Mountain where mankind inhabited; for if it leapt over a Country, returning afterward, it left it no cause to rejoice above its fellows. It began still at the Sea Coast, and thence went to the inland parts. In the second year of its Progress, it arrived at *Constantinople* about the middle of the Spring, where it was the fortune of *Procopius* then to reside. Apparitions of Spirits in all shapes humane were seen by many, who thought the man they met, struck them in some part of the Body, and so soon as they saw the Spirit, they were seized with the Disease. At first when they met them, they repeated Divine Names, and fled into Churches to no purpose. Afterwards they were afraid to hear their friends call them, locking themselves up in their Chambers and stopping their Ears. Some dreamed they saw such sights, others heard a Voice tell them, they were inrolled in the Number appointed to die. But most without warning became feverish suddenly. Their Bodies changed not colour, nor were hot, the Fever being so remiss till Evening, that neither the Patient nor Physician, by his Pulse could apprehend

Sect. i. prehend any danger. Yet to some the same day, to others the next or many after, arose a Bubo both in the Groin, the Armeholes, under the Ear and in other parts. Those were the general symptoms which happened alike to all the visited Persons.

154. There were others different, whether so made by the diversity of Bodies, or the will and pleasure of him that sent the Distemper, our Authour cannot say. Some were seized with Drowfiness and Slumbering, others with a sharp distraction. The Slumberers forgot all things, if they were lookt to, some would eat, some that were neglected starved to death. Those that were distracted were vexed with Apparitions, crying out there were men to kill them, and running away, being so troublesome and unruly, that their Keepers were pited as much as they themselves. No Physician or other caught the Disease by touching sick or dead Bodies; many strangely continuing free, though they tended and buried infected Persons, and many catching it they knew not how, and dying instantly. Many leapt into the Water, though not for thirst; and many into the Sea. Some without slumbering or madness had their Bubo gangreen'd, and died with extreme pain, which doubtless happened also to those that had the Phrensie, though being not themselves they understood it not. Some Physicians hereupon conceiving the venom and head of the Disease, to lie in those Plague sores, opened the dead bodies, and searching the Sores, found an huge Carbuncle growing inward. Such whose bodies were spotted with black Pimples the bigness of a Lentile lived not a day. Many died of vomiting Blood. Some that were given over by the most eminent Physicians, unexpectedly recovered, others, of whose recovery they thought themselves secure, suddenly perished. No cause of this sickness could be reached by man's reason. Some received benefit by Bathing, and others it hurt. Many died for want of Cure, and many escaped without it; in a word, no way could there be found of preservation, either by preventing the sickness, or mastering the Disease, no cause appearing either of their falling sick, or of their recovery.

155. Women with Child which were visited, certainly died, some miscarrying, some fairly delivered, and perishing with their Children; three Women only were safely brought to Bed and recovered, their Children dying, and one died whose Child had the hap to live. Such as had their Sore great and running plentifully escaped; the violence of the Carbuncle being thereby asswaged, and this was the most certain sign of health. Such whose Sores staid as they first arose, underwent the miserable Accidents formerly mentioned. Some had their Thighs withered, when the Sores rose upon them and did not run. Some escaped with diminished Tongues, and lived stammering or uttering sounds without distinction all their days. In Constantinople this Pestilence lasted four months, raging three months with all extremity. In the beginning few died more than usual. Then it growing hotter and hotter, it came to five, and at last to ten thousand and more every day. At first they buried their Dead carefully, but at length all came to Confusion, and many lay long unburied. Servants were without Masters, Rich men had none to attend them. In the afflicted City was little to be seen, but empty Houses, no Trade going, nor Shops open. The Emperour was much concerned as he had reason, and committed the oversight of the poor to Theodorus, one of the Referendaris that subscribed the Emperour's answers to Petitions, who to those that were in want distributed money out of the Treasury. To these passages Procopius adds, that many out of fear left their bad courses of Life, and consecrated themselves to God; and many when the danger was over, fell to their old despising of God again, and so he ends the description of this Pestilence, which though it continued but four months at Constantinople, yet Euagrius, who both himself and his Family was visited with it, tells us, it lasted the space of two and fifty years, prevailing so much, that it destroyed in a manner the whole World. Seeing then that it outlived Procopius, no wonder if in so long a time, and so various Climates and Countries, it changed its Symptoms, and varied something from those accidents which fell out in his days. Yet the description of Euagrius differs very little from that of his. He affirms that in some things, it resembled the Plague of Athens, described by Thucydides, and in other respects was far unlike it. That it began in Ethiopia as the other did, but exceeded all that ever were before it, and considering how long a time it raged, and flitted up and down, he admires that Philostratus should wonder at the Plague which happened in his time, because it continued fifteen years together. But whereas the History of Procopius was sufficiently known to the World, and particularly to Euagrius himself, who has taken, as all learned men know, much out of it, its a greater wonder he should say, that the History of this

Wide Euagr. Hist. lib. 4. c. 28.

Plague was not penned till the time that he undertook it; for we cannot in the least imagine but it was the self-same Plague they both speak of. Never any Plague was so like it, as that dreadful one in the time of our Edward the Third. It began, as may be gathered from Procopius, not in the tenth, as some have written, but about the eighteenth year of Justinian's Reign, the third after the Confulship of Basilus, the third of Totilas, the DXLIV. of our Lord, and the ninth of the Gothic War in Italy, to which we must, after this digression, now return.

Belisarius sent again into Italy.

156. Belisarius being designed to give a check to the Arms of valiant and prosperous Totilas, levied with his own Money Volunteers in Thrace, and in conjunction with Vitalius, General of Illyrium, raising about four thousand men, came to Salona, determining to go to Ravenna, and thence raise the Siege, for the Enemy lying in Campania and Calabria, there was no landing near Rome either with secrecy or security. He reinforced the Garrison of Otranto by fresh men well supplied, taking out the old, who were half starved. In the mean time Totilas took Tibur, and put all the Townsmen to the Sword, together with their Bishop, the manner of whose death, Procopius tells us, he would conceal, lest he should leave to Posterity Monuments of Inhumanity. But the Goths being now Masters of this City, which was situate fifteen miles above Rome, and commanded the River, the Romans could not import any more Provisions out of Tuscany. Belisarius came with his Fleet to Ravenna, where in vain endeavouring to draw over to him the Souldiers of Totilas, he sent a Party into Emilia to attempt some of the Cities of that Country. The Iffaurians now left the service, and went home, excusing themselves to the Emperour by their want of Pay, and an Invasion which the Hunnes had made into their Territories. Totilas not ignorant hereof, sent some Forces to drive the Romans out of Emilia, but they were worsted by Belisarius his Troops, who then reinforcing Auximum, which the Goths had besieged, two hundred of his men were slain by an Ambuscado, and all their Arms and Baggage were lost; for when upon consideration of their disability to match the Besiegers, and that by staying, they did but consume the Towns Provision, and make it more liable to be taken, they resolved to depart, their Resolution was made known by a Renegado to the Enemy. Pisaurus a small Town upon the Gulf betwixt Auximum and Ariminum, Belisarius fortified, which Totilas having attempted to storm, but to no purpose, returned to the siege of Auximum, where the Romans kept close within their Walls. Finding both by espials and his demeanour that Belisarius was not able to fight him, he fell upon other strong Towns, blocking up Firmum and Asculum in Picenia; and so ended the Winter with the tenth year of the War, written by Procopius.

Belisarius sends for a new Army.

157. Belisarius being most concerned for Rome, sent Artabris a Persian, and Barbatian a Thracian, two of his Life-guard, to defend it, together with Bessas the Governour at present, and ordered them, in case they were besieged, to make no Salles at all. Being utterly unable to relieve the beleagured Towns, he sent John to Constantinople, taking of him an oath for his speedy return, and to importune the Emperour to send a new Army, and sufficient supplies, for the old Souldiers were quite out of heart, by reason of the want of their expected Pay for so long a time. The substance of these things he signified to Justinian in a Letter, which though they were sufficiently pungent, yet they moved the Court very little, and John staid long at Constantinople, where he married the Daughter of Germanus the Emperour's Nephew by his Brother, and was so taken up with his Bride, that he minded none of those Matters for which he was sent. In the mean time Totilas took in several Towns in Tuscany and elsewhere; and having in vain attempted Perugia, though he procured Cyprrianus the Governour to be treacherously murdered, departed towards Rome, which he closely besieged. During the Leaguer he did no damage at all to the Husbandmen of Italy, letting them securely till their Ground; only the publick Revenue or private Rents he took to his own use, and thereby sufficiently provided for his Army, while the Besieged laboured under all sorts of miseries. For after a brisk fall made by Artabris and Barbatian against the mind of Bessas, wherein having fallen into an Ambuscado of the Enemy, they lost most of their men, and hardly escaped themselves with their lives, the Famine began to grow sore in the City, no Victuals being imported either by Land or Sea. For the Goths, after they had reduced Naples, scoured the Seas by a Fleet of Barks, and surprized all Vessels in the way from Sicily to Rome. Totilas having men enough to spare, sent an Army into Emilia, and laid siege to Placentia, a City standing upon the Poë, and onely continuing in obedience to the Romans.

158. Belisarius by this time repented his coming to Ravenna, upon the persuasions of Vitalius, where being shut close up, he gave sufficient scope to the Goths to advance

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Redund. ad hunc Sect. paragr. 129.

Totilas takes Tibur.

The Iffauri depart home from the Romans.

The Romans receive a loss.

Totilas besieges Rome.

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advance their Affairs, Providence indeed turning all his Councils and endeavours to the contrary end. Fearing not only the loss of *Rome*, but all the rest, and not able with so small an Army to relieve them, he once resolved to rise and surprize some Places near the City, whence he might in certain junctures of time be able to afford the Besieged some succour. Yet committing *Ravenna* to the care of *Justinus*, he marched through *Dalmatia* to *Epidamnus*, and thence writing Letters of a frelier date to the Emperour, expected in return an Army from *Constantinople*. At length came a number of Souldiers, partly *Romans*, partly Barbarians, under conduct of *John* the Nephew of *Vitalianus*, with whom were joined in Commiſſion *Iſaac* the *Armenian*, Brother to *Aratius* and *Narſes*. *Narſes* also the Eunuch, whom he had sent to the *Heralian* Princes upon the same account, brought many of that Nation along with him, who were commanded by *Philimath* and others, and in their march did the *Romans* a very great service by adventure. For meeting by chance with a multitude of the *Slavoi*, who having passed the River *Iſter*, plundered all the Countrey, and took a great number of Captives, they had the courage to fight them; and though inferior in numbers, beat them out of the Field, rescued the Prisoners out of their hands, and sent them home. *Belisarius* in the mean time sent *Valentinus*, and *Phocas* an expert Souldier, one of his Life-guard, to relieve *Rome*, which from *Portus* they attempted to no purpose, as also did *Vigilius* the *Roman* Bishop from *Sicily*, who sending some Ships laden with Corn to relieve the City, they all fell into the Enemies hands. And so ended the Winter and the eleventh year of the *Gothick* War, written by *Procopius*.

Placentia yielded to the *Goths*.

159. *Vigilius* the following Summer was sent for by the Emperour to *Constantinople*. *Placentia* was by famine (which constrained the Besieged at length to eat one another) forced to surrender upon composition. *Rome* was well nigh brought into the same extremity, though the poorer sort were very much supported by the liberality of *Pelagius* a Deacon of that Church, who having dwelt long in *Constantinople*, in the grace and favour of *Justinian*, was grown very rich; and being newly come to *Rome*, spent most of his Riches upon such as were in want by reason of the Siege. He also at the desire of the *Romans* undertook to plead their Cause before *Totilas*, who received him very graciously, but dismissed him without any satisfaction in relation to his Message. Herewith the Besieged were utterly discouraged, and the Famine growing fore upon them, though the Souldiers Victual was not yet all spent, Multitudes flocked to *Bessas* and *Conon* weeping, and bitterly lamenting their condition, and praying them either to give them Food, to let them go, or else kill and dispatch them out of the way. The Officers answered, that to supply them with Victuals was impossible, to kill them was impious, and to let them go unsafe; but they cheered them as much as they could, and put them off with great assurances of *Belisarius* and an Army from *Constantinople*. The Famine grew every day more ununsupportable. *Bessas* and *Conon* having laid up great quantities of Corn for the Garrison, at first retrenched their own allowance, and sold to the Richer sort at huge rates; as for example, a bushel of Wheat for seven golden Staters. The meaner sort not able to reach so high, paid a fourth part, and the Bushel was fill'd up with Bran, which their Stomachs were able enough to digest. An Oxe was sold at fifty Staters. He thought himself no mean man that could get a dead Horse to feed on. The Multitude fed on Nettles growing near the Walls, and amongst Rubbish, which they first boiled to prevent stinging. Such as had Purſes at first to go to the Rate of the Wheat and Bran, when they failed, purchased it with their Household-stuff, till all the Corn being spent (save a little preserved by *Bessas*) and Money failing, they all betook themselves to Nettles. There not being enough of this to fill their Bellies, much less to supply the necessities of Nature, they pined away, their Skins grew pale and wan, and they looked like so many moving Ghosts. Many chewing Nettles, fell down and died with them in their Mouths as they went along. They forbore not one another's Excrements; and many, when Dogs and Rats failed them, killed themselves. Afterward the Commanders, seeing things reduced to this extremity, for Money, suffered such as would, to go out of the City. Some few staying behind the rest, fled whither they could; but most of them were so weak, that they died on Shipboard, or else upon the High-ways. Such as the Enemy caught, he failed not, though not out of any compassion, to rid out of this miserable life. To such a dreadful condition was reduced the State of the People and Senate of *Rome*.

A grievous Famine in *Rome*.

160. *Belisarius* moved with this sad Calamity, failed from *Epidamnus* unto *Portus*, giving in charge to *John* to march through *Calabria*; and having cleared those Parts of the *Goths*, which were not very many, to meet and join with him about *Rome*. But *John* having done some execution upon several Parries in his passage, durst

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durst not venture to pass by *Capua*, though it had no more in it than three hundred men, and he had at his heels the choicest of the *Roman* Army, so strong were his fears of being surrounded by the *Goths*. Therefore did the General, fearing some desperate Resolution of the starving *Romans*, study some means to victual the City, which he had not Forces enough to relieve by fight. Upon the *Tiber*, about eleven miles below *Rome*, where the Channel is narrowest, *Totilas* had laid a Bridge of Planks, and at either side built wooden Towers, and put good Garrisons into them to hinder the passage of Barks up to the City. *Belisarius* therefore tied two Barks together, upon which he raised a Tower of Wood, higher than those the Enemy had made at the Bridge; and lancht into the *Tiber* two hundred Pinaces, the sides of which were full of Loop-holes to shoot at the Enemy. Aboard the Pinaces he put Corn and other Provisions, and towards the River's mouth, in places of advantage, laid Horse and Foot by either Bank, to hinder the designs of the Enemy upon *Portus*. This Garrison he committed to the care of *Iſaac*, together with the charge of his Wife, and what other things he had there, expressly charging him not to stir, though he heard *Belisarius* were slain, but to keep close to his Guard, that upon any ill Accident there might be a place of retreat; for other Forts in the Countrey there were none, all the rest being in the hands of the Enemy. He himself conducted the Pinaces, and caused the two Barks with the Turret to be towed after; on the top of which he put a little Boat, full of Pitch, Rozin, Brimstone, and other combustible matter. That these his Devices might better succeed, he had the day before sent order to *Bessas* to make a general Sally, and alarm the Enemies Camp.

Belisarius attempts to relieve *Rome* with Provisions.

161. *Bessas* making great gain of the Corn which had been laid up for the Souldiers, was not willing the Siege should be raised, and therefore neglected both these and former orders. But *Belisarius* rowed up the stream, which ran strong against him; the *Goths* all this while lying quiet in their Trenches. Near the Bridge he found an Iron Chain cross the River, which, after he had killed some, and frightened away the rest who made opposition, he easily removed, and passing on to the Bridge, fell presently to work. The *Goths* from their Towers valiantly defending themselves, he caused the Barks with the Turret to be rowed near to the Enemies Tower, which stood in the water by the way from *Portus*. Then was the Cock-boat set on fire, and shoved down just upon the laid Tower of the Enemy, which instantly fell afire, and burnt with it self two hundred *Goths*, together with their Officer, one of the valiantest of their Nation, the *Roman* Souldiers in the mean time plying with Shot such as came from the *Gothish* Camp to the relief of their Fellows, so thick, that being amazed at the Accident, they ran all away. They laid hands on the Bridge, and had suddenly pulled it down, and gotten into *Rome*, none opposing, but that Fortune now shewed her fickleness, and some envious Demon plotted the ruine of the *Roman* Affairs, in the opinion of *Procopius*. The good Success of the *Romans* at the Bridge had the ill luck to be too soon reported at *Portus*, which tickled so much *Iſaac* the Governour, that not able to hold, he must needs have a share in the honour; and forgetting or slighting the Commands of the General, went hastily to the other side of the River where *Ostia* stands, and with an hundred Horse of the men left him by *Belisarius*, charged the Enemies Quarter, commanded by *Roderick* a skilfull and valiant Souldier. Surprising the *Goths*, he wounded many besides *Roderick* himself; and they suspecting more to be coming, or rather on purpose to draw him on into danger, quitted their Quarter. For *Iſaac* having entred the Trenches, and falling to pillage, the *Goths* returned upon him, killed many, and took himself and others Prisoners. The news being carried to *Belisarius* by some Horsemen, that *Iſaac* was taken by the Enemy, astonishd thereat, and never inquiring the manner, but thinking *Portus* and his Wife to be lost, and all ruined, by reason that now the Army had no Fortres to retire to, he had not a word to say, a thing which to him before had never happened. Immediately he drew back his Forces, meaning to charge the Enemy unprepared, and by all means to recover the Place.

Through trouble of mind, he falls into a fever.

Bessas hastily collects.

162. Coming to *Portus*, and there perceiving as well the precipitancy of his own Councils, as the Rashness of *Iſaac*, the thoughts thereof to tormented him, that through perturbation of mind he fell into a Fever, which afflicted him a long time, and brought him to deaths door. *Roderick* died of his wounds within three days, which so incensed *Totilas* against *Iſaac*, that out of revenge he put him to death. In the mean time *Bessas* drives a great Trade within *Rome*, hunger and necessity raising his Market to such a pitch, that wholly taken up with the thoughts of his profit, he totally neglected his Charge, so that the Souldiers were negligent, the Sentinels slept securely, none ever visiting them, calling them to account, or going

Perpetuus, *Roderick*, quite possessed: *Alibi* in voice *Al. Roderick*, *non enim* *etiam* *Hispanis* *co* *Gothis* *frequent*.

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the Round, as was usual; and the Citizens almost starved, refused to keep any watch. Matters standing thus, four *Isaurians* being Sentinels near *Porta Asnaria*, flipt down the Walls by Ropes tied to the Battlements, late at night, when their Fellows were asleep, and coming to *Totilas*, undertook to receive his Army within the City. He sent them back loaded with promises, and with them two Souldiers, who found all things in repose and security, and accordingly made their report of the easiness of the Enterprize, yet would he not trust to it, fearing some treachery in the *Isaurians*, who not many days after came to him again, and so urged him to the business, that he sent two other Souldiers with them. These examining all exactly, made such a report as agreed with the former; but in the mean time some *Goths* were taken by the *Roman* Scouts, who being brought to *Bessas*, acquainted him with the hopes of *Totilas* to have *Rome* betrayed into his hands by *Isaurians*. Yet did both *Bessas* and *Canon* make slight of the Advertisement; and the *Isaurians* coming the third time to *Totilas*, and he sending others, and one of his own Kindred with them, and they reporting still the same thing, he resolved upon the Enterprize.

Rome surpris'd.

163. The same night therefore he silently armed his Forces, and led them to *Porta Asnaria*. Four *Goths* strong and valiant he appointed to mount the Battlements with the *Isaurians*, who being got into the Town, went to the Gate, and not meeting any body, with their Battle-axes cut in two the Timber Posts upon which the Gates hung, and wrenched off the Iron-work and Locks, which being done, they opened the Gates, and received in *Totilas* with his Army. *Totilas* to provide against all Ambushes, suffered not his men to scatter abroad, but drew all up to one place. Upon the Alarm the City was presently in a tumult. Most of the *Roman* Souldiers ran out with their Commanders at another Gate. Some of them took sanctuary with the Townsmen in Churches. Of the Patritians, *Decius*, *Basilus*, and some others, having Horses, fled with *Bessas*. *Maximus*, *Olybrius*, *Orestes*, and others, fled to Saint *Peter's* Church. Of the common sort remained but five hundred men, who took sanctuary also; the rest were either fled or starved. *Totilas* in the morning, fearing no Ambush, went to Saint *Peter's* Church to prayer, his men in their way killing about six and twenty Souldiers, and sixty Commoners. Thither being come, *Pelagius* the Deacon, with the Gospels in his hands, came a Suppliant to him: Crying out, *O spare, my Lord, your own People*. *Totilas* scoffed at him at first, but won with his importunate Supplications, forbade his *Goths* to kill any more, but gave them leave to plunder the City, reserving the choicest of the Pillage to his own use. Much Wealth was found in the Houses of the Patritians, but the most considerable was the Treasure of *Bessas*, which by his covetous exactions he had heaped up for *Totilas*. Many Senators, and *Rusticianna* the Widow of *Boetius*, and Daughter of *Symmachus*, a most pious and charitable Matron, went begging their Bread of their Enemies, wandering from door to door, and craving sustenance without blushing. The *Goths* indeavoured to put her to death, for bribing the *Roman* Commanders to break down the Images of *Theodorich* in revenge of her Husband's and Father's deaths, but *Totilas* preserved both her and all other Women from the cruelty and insolence of the Souldiers, to his great honour and reputation. But thus was *Rome* taken, and handled by the *Goths* in the twelfth year of the War, the sixth after the Consulship of *Basilus*, the one and twentieth of *Justinian's* Reign, and the sixth of *Totilas*, A. D. DXLVII.

Totilas sends to Justinian.

164. *Totilas* perceiving his men to be elevated with their good success, made a sober discourse to them, wherein he shewed, how according to the justice and moderation of their Actions, both the one side and the other had hitherto risen and fallen, gone down the wind, and prospered. The *Roman* Senators he reproached with some bitterness, that having received such benefit from the *Gothick* Kings, been employed in all Offices, managed the whole State, and enriched their Families, they had carried themselves so ingratulately to their Benefactors, and betrayed their own Interest by bringing *Greeks* into their Country. For whereas they had never received any hurt from the *Goths*, but abundance of good, he affirmed they never could boast of any benefit from *Justinian*, except it were their being deprived of almost all Commands, called to account for their Arrears, even the Treasury of the *Goths*, and paying their Tributes in times of War as well as Peace. He objected many things, carrying himself as angry Masters are wont to do towards their Slaves, for such he told them they must account themselves; yet at the intercession of *Pelagius*, when they stood silent before him, he promised them pardon, and let them go. But to *Justinian* he sent the said *Pelagius*, with *Theodorus* a *Roman* Orator, as his Ambassadors, threatening, if the Emperor would not embrace Peace, to lay *Rome* flat with the ground, to kill all the Senate, and bring the War into *Ilyrium*; by

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by Letters he propounded to him the example of *Anastasius* and *Theodorich* their reigning peaceably together; offering, in case he would doe the like, to own him for his Father, and that he should have the *Goths* his Friends and Allies against whomsoever he pleased.

who refers all to Belisarius.

Totilas thereupon purposes to destroy Rome.

Belisarius by Letter diversifies him.

165. To this *Justinian* only answered, that he had made *Belisarius* his General and Vicegerent, with absolute authority, who had full power to manage all things of that nature as he pleased. During the Voyage of the Ambassadors, *Totilas* in vain attempted to open the passage into *Lucania*, the Straits being guarded by *Tullianus*, who had levied some Pealants in that Country, and had three hundred *Antians* left him by *John*, who of all Barbarians were most proper to fight in a fastness. *Totilas* enraged at this repulse and defeat of his men, resolved to demolish *Rome*, leaving part of his Army in some Town thereabout with the rest to go against *John* and the *Lucanians*. He threw down a third part of the Walls, or thereabout, was ready to set fire to the fairest and most eminent Buildings, and had nothing more in his thoughts than to make the Seat of *Rome* a Pasture for Sheep; when *Belisarius* advertised, sent a Message to him, and by Letters diverted him from his purpose. He insisted much upon the Majesty and Grandure of this Ancient City, which having been raised to this pitch of greatness by the virtue and industry of so many Ages, Posterity could not but look upon him that destroyed it as an Enemy to Mankind, depriving them of the Pattern and Spectacle of the worth and gallantry of their Ancestors. Should he prove victorious, he told him, he would by demolishing *Rome*, ruin not what was another's, but his own, being the goodliest Possession in the World; whereas, in case he was worsted, by preserving it, he should obtain abundant thanks from the Conquerour; but by destroying it, deprive himself of all pretence to mercy and favour. In conclusion, that he would get nothing by it, but a fame in the World, suitable to such a proceeding which now attended his Resolution herein either way; forasmuch as whatsoever the Actions of Princes be, such must necessarily be the Name and Reputation they must bear from them.

166. *Totilas* upon often perusing the Letter, and seriously considering the Advice, forbore doing any farther harm to *Rome*; and signifying his determination to *Belisarius*, dismissed the Messengers. Most of his Army he caused to incamp at *Algidum*, fifteen miles to the Westward of the City, to keep *Belisarius* fast in *Portus*; with the rest he himself marched against *John* and the *Lucanians*. Not a man did he leave in *Rome*, leading some Senators with him, and sending the rest, with their Wives and Children into *Lucania*. *John* hearing of his coming, retired into *Otranto*, after whose departure, the Husbandmen were directed to manure their Grounds as formerly, which were now declared to belong to their old Landlords. *Tullianus* also ran away, and his three hundred *Antians* betook themselves to *John's* Army; so that all on that side the Gulf, *Otranto* excepted, became again subject to the *Goths*, who grown bold, and stragling abroad in small Parties, *John's* Forces killed many of them, which caused *Totilas* to unite his Army about Mount *Gargarus*, almost in the middle of *Apulia*, where he incamped in the very Inrenchments of *Flaminial*. In the mean time *Spoletum* was retaken by the means of *Martianus* a *Roman* Souldier, who counterfeited himself a Fugitive; and *John* seizing upon *Tarentum*, fortified it by a Ditch cut through the Isthmus. *Totilas* surprized *Acherontia*, a strong Castle of *Lucania*, upon the Confines of *Calabria*, into which he put four hundred men, then led he his Army toward *Ravenna*, leaving a Party in *Campania* to look to the Senators thither confined.

Belisarius again fortifies Rome as well as he can.

Totilas returns against it.

167. But *Belisarius* hearing how *Totilas* had quitted *Rome*, burnt with a desire of once more possessing himself of that City, and leaving a small Garrison in *Portus*, went thither with the rest of his Army, and a full resolution to hold it. Not able in a short time to repair the great breach made by *Totilas* in the Wall, he heaped Stones rudely one upon another without any Mortar, only to give it the form and shape of a Wall, but without it pitch good store of Stakes, having formerly made a Ditch round about, as was said before; and the whole Army labouring cheerfully, the Work was finished in five and twenty days. The *Romans* out of the Adjacent Country flocked thither, as well out of love to the Place, as to be supplied with Victual, which in abundance was imported by *Belisarius* up the River. *Totilas* at the News went instantly back to *Rome*, not fearing to recover it; for the Gates he had broken down, were not yet set up for want of Artificers. But where the Gates had stood, *Belisarius* placed some of his best Souldiers, commanding the rest from the Walls to oppose the Assaults. And that they did with such courage, that the *Goths*, who hoped to take the Town at the first onset, finding the business difficult, grew angry, and their anger made them more resolute and venturous.

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168. *Totilas* the day following, assaulted *Rome* the second time, but receiving the worst, the Enemy sallied out upon him, and killed many of his men; and many days after though he had made great preparations, he had the same fortune, and was forced to draw off to *Tibur*, breaking down the Brides upon the River, that the Enemy might not fall upon his Rere, only that called *Pons Milvius*, he could not demolish. He caused to be rebuilt the Castle of *Tibur*, which formerly his Countreymen had demolished, and kept himself for some time quiet within it. *Belisarius* in the mean while setting up the Gates at his ease, which he lined with Iron, and once more sent the Keys to the Emperour, with which passages ended the Winter, together with the twelfth year of the War. The Goths, who had formerly magnified their King, esteemed his Valour, admired his fortune, and accounted themselves happy in their Choice, upon this little misfortune and want of success, began to be quite altered in their thoughts and demeanour towards him, reproaching him licentiously for his unadvisedness, in not demolishing all *Rome* when he took it, or in not keeping it himself, but thus ruining what they had effected with much time and labour. Having sent Forces to besiege *Perusia*, and the Siege wanting some assistance, when he purposed with his whole Army to march thither, they received his Directions repiningly. This put him upon an Apology, wherein he shewed the vicissitude of all humane things, the inconsistency of Fortune, especially in matters concerning War, and proved that his want of success, was the product of his disastrous Stars, not the effect either of his Neglect or Ignorance. From these and such like Topics he so framed his Discourse, that he perswaded them to undertake the Enterprize of *Perusia*, and sat down before it. As the Goths thus ordered their matters, *John* who had besieged the Castle of *Acherontis*, departed suddenly from before it into *Campania*, and there set at liberty the Senators and their Wives, sending them into *Sicily*. And he routed a party of four hundred Goths, he accidentally met at *Capua*, whom *Totilas* sent to prevent that which he accomplished upon the Senators.

169. *Totilas* enraged to be thus robbed of his prey, must needs be revenged upon *John*, and marches presently upon the News against him, over Mountains and through by-ways to avoid his Scours, and by Night he set upon him contrary to the true Maxims of War, which plainly shew it to be the best for a stronger Army to make an open Fight. He was ten to one in numbers, and might easily have taken them all as in a Net, but upon the alarm, they most of them slipped away by the advantage that darkness afforded them, and with loss of scarcely one hundred men escaped with their Leader to *Otranto*. Things standing thus in *Italy*, the Emperour, upon the importunate Letters of *Belisarius*, sent about one thousand four hundred men in several parties, and under several Officers, and wrote to him that he was to expect a great Army in *Calabria*, wherewith he would have him give the Enemy Battel. Hereupon he pickt out of his men, seven hundred Foot, and two hundred Horse of the choicest, and leaving the rest to *Conon*, to guard the places about *Rome*, departed for *Sicily*, thence intending to put in at *Tarentum*. But making for this place, by contrary Winds and Storms, he was constrained to come to Anchor in the Haven of *Crotone*, to the Eastward of the Bay. (*Tharion* being on the North, and *Tarentum* standing about the middle,) and there to stay with his Wife and all the Foot intending to send for *John's* Army. His Horse he Commanded to march higher into the Countrey, and Quarter there where the Mountains of *Lucania* reaching into *Bruttia*, and meeting at a strait make two narrow Passages, the one called in Latine *Petra Sanguinis*, and the other *Labulla*, neighbour to which was *Rusciana* the Arcenal of the *Thurians*, and seven miles and an half above it a strong Castle, built by the ancient Romans, which the Goths had a little before possessed, and therein placed a strong Garrison. The Horse being higher sent, that they might better get Provisions, and keep off the Enemy in fastnesses, met Forces

After many Assaults draws off.

Besieges Perusia.

John escapes his Hands.

SECT. I. sent by *Totilas* to relieve that Castle, which they utterly defeated killing above two hundred. The News hereof being brought to *Totilas* by those that escaped, he also understood of the ill government, and careless demeanour of the late Victors, for they neither lay together in one Body, nor kept Guards upon the two passages, but elevated with their success lodged securely far asunder, and all the day straggled for Provisions, without sending abroad their Scouts, or advising upon any course of safety. *Totilas* therefore with three thousand chosen Horsemen, comes suddenly upon them, and easily amazed and defeated them, whereto the Romans were much crest-fallen, having set their hopes upon these, as being extraordinary good men. *Belisarius* having News of the Defeat, and that the Goths would suddenly be with him at *Crotone*; in great grief ran to his Ships, weighed Anchor, and with a fair wind came the same day before *Messina* in *Sicily*, distant from *Crotone* eighty seven miles, standing right over against *Rhegium*.

170. About this time, a mighty power of the *Slavi* passed the Danube, and did infinite mischief in *Illyrium*, peircing as far as *Epidamnus*, killing and captivating all they found, and spoiling the Countrey. They took many Castles none defending them, and roved up and down without Contrail; the Commanders of *Illyrium* waiting still upon their Motions, with fifteen thousand men, but not daring to come near them. The same Winter were many terrible Earthquakes in *Constantinople* and elsewhere, all by Night, but no hurt was done. But the River Nile swelled eighteen Cubits, and overwhelmed all *Aegypt*. In the Countrey of *Thebaïs*, and the upper Grounds, the Waters abated in seasonable time, but retired not at all from the lower, but covered them all the Seed time, a thing which had never before happened, as *Protopius* affirms. To some places the water returned again, and rotted the Seed put into the Ground, during the abatement, so that most of the Cattle perished for want of sustenance. The great Whale was now also taken by the *Constantinopolitans*, called *Porphyron*, which, at times, for the space of above fifty years, had infested them, drowning Ships and forcing Mariners through fear upon great Inconveniences. *Justinian* had attempted many ways to take the Monster, but still unsuccessfully. Now the pursuing a great number of Dolphins, which came up the mouth of the *Euxine*, as far as the River *Sagaris*, and following her Prey too near the shore, fell into the Mud, where tumbling and struggling, she farther intangled her self, and the People of the Countrey coming upon her, hewed her with Axes, but not able to kill her, with great Ropes drew her ashore, where they found her thirty Cubits long, and ten broad, and some presently fell of eating her, and others pickled her up. The news of this Whale added to that of the Nile, and the Earthquake, gave great occasion of discourse to the *Constantinopolitans*, amongst whom was no talk now, but of strange things to come portended by these Prodigies. Whatever they signified as to the future, for the time past the Overflowing of Nile had caused much Calamity, and the killing of the Fish, according to common apprehension, was the riddance of a great mischief; though some said it was not the *Porphyron* it self, but some other Whale. In the mean time, *Totilas* in *Italy* unconcerned at those Prodigies, and rather Propheying good to himself, than any harm by them, understanding that the Romans in *Rusciana* were scarce of Provisions, sat down close by it, hoping to master it ere it could be relieved. And thus ended the Winter, and the thirteenth year of the War, written by *Procopius*.

171. The Emperour now sent two thousand Foot into *Sicily*, and commanded *Valerianus* instantly to repair to *Belisarius*. Passing the Gulf, he found him at *Otranto* with his Wife *Antonina*, who then Sailed to *Constantinople*, to obtain from *Theodora* the Empress, better Supplies for her Husband; but she found her dead, having lived in that supreme Dignity the space of one and twenty years, concerning whose Actions and demeanour we shall have enough to say, when we come to the Character of her Husband. *Belisarius* sent for *John* to *Otranto*, and with him and *Valerianus* having got a Fleet together, Sailed to the relief of *Rusciana*. The Garrison had capitulated to yield up the Castle by Midsummer, provided they had no hurt done them, in case they were not succoured in the mean time, but now discerning the Fleet, they took courage and refused to yield; though the day assigned was at hand. But the Coast having no harbour, a Storm dispersed all the Ships, and in the Haven of *Crotone* they all met and made for *Rusciana* again. The Goths from the shore were ready to oppose their Landing, which seeing they durst not come nearer, but lay at hull off in the Sea, and at length despairing, tacked about to Seaward, and came again to Anchor in the Haven of *Crotone*; where they resolved in Council that *Belisarius* should make for *Rome* and Victual it as he could, and that

The Slavi pass the Danube.

Egypt overflowed by the Nile.

The Porphyron taken.

Totilas besieges Rusciana.

John

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Takes it.

Belisarius returns without honour to Constantinople.

John and Valerianus should go into *Picenia* to hinder the beleaguering of the Towns there, hoping to draw *Totilas* also toward them, and so by a kind of Revulsion, to raise the Siege of *Rusciana*. *John* with a thousand men did accordingly; but *Valerianus* was afraid, and through the *Ionian* Gulf Sailed by *Ancona*, thinking to get that way more securely into *Picenia*, and joyn with *John*. But *Totilas* raised not his Siege, sending two thousand select Horlemen into *Picenia* to joyn with other *Goths*, and beat away the *Roman* Forces. Provisions failing now the Garrison of *Rusciana*, he yet pardoned them all, except *Chalazar* who had formerly broken faith with him, and so received the Castle. Him he put to Death, cutting off his Hands and privy Members. The Souldiers that would, he received to equal Rank with *Goths*, and left them their goods, as his custom was in all places. Such as would not, he dismissed, stript and unarmed, not desiring any should serve him unwillingly. Eighty of them quitted their goods, and went to *Crotone*. The rest flaid; of whom the *Italians* had afterwards their goods taken away, but no hurt was done to their Persons.

172. *Antonina* finding the Emperess dead, when she came to Court, besought the Emperour to recall her Husband, which the easily obtained, the *Perfian* War sorely pressing *Justinian*. And so he returned to *Constantinople* without Honour, having in five years space never marcht up into the land parts of *Italy*, nor made any expedition, but being all the while as in a perpetual flight, Sailing from one Sea Town to another, which gave the Enemy opportunity to captivate *Rome*, and all therest. And he now abandoned *Perusia* the chief City of *Tuscany*, which was taken by storm whilst he was on his way homeward. Thus the same men are not always the same as to external circumstances, their own tempers and humours altering, and fortune as it were taking a delight to shew her power, in procuring them disrespect as well as honour, casting them down, as well as raising them, and making them feel themselves subject to her Sovereignty and Jurisdiction. *Procopius* our Historian in the Books he wrote concerning the *Gothick* War, modestly expreth himself in this case of *Belisarius*, laying the fault rather upon fortune than the man, those Books being published abroad, whilst *Belisarius* and *Justinian* yet lived. But in the *Anecdota*, or secret History, wherein with freedom enough, (if not more than enough,) he (or some body else,) published the defects and vices of those great men, after their Deaths; he reprehends him for several mistakes and willfull Errors. He confesses he had nothing allowed him out of the publick Treasury, to the expence of this War, and yet charges him with extraordinary avarice and scraping. He accuseth him of fleecing the Inhabitants of *Ravenna*, *Sicily*, and all others where he came, pretending to punish them for former faults, and their old Opinions: Lays to his charge, how being to animadvert upon *Heraclian*, he required moneys of him, and used, to accomplish his ends, such continual threats, that the man wearied and afraid, renounced his Oath made to the *Romans*, and betaking himself with his Troops to *Totilas*, gave up *Spoleum* into the hands of the *Goths*. To his great uxorious humour, he ascribes the grudges which happened betwixt him and *John* the Nephew of *Vitalianus*, and which exceedingly damnned the Emperour's business in *Italy*. For *Theodora* the Emperess being enraged at *John*, for contracting a Marriage with *Justina*, the Daughter of *Germanus* the Emperour's Nephew, as the Historian concludes, gave private Orders to *Antonina* the General's Lady, to have him made away, so that he aware of this, and knowing *Belisarius* to be so much the slave of his Wife, that he could not deny her any thing, durst not come near him, nor give him any assistance in carrying on the War.

173. What is farther objected against *Belisarius* in that Work, we shall observe when we part for altogether with this Great General, and return to *Procopius* his Volumes of the *Gothick* Wars, where we shall find an account given us of some Conspiracies against the Emperour's Person, at such time as *Belisarius* was upon his Journey. *Artabanes*, who slew the Tyrant *Gontharis* in *Africk*, had a great desire to Marry *Projecta* the Emperour's Sisters Daughter, having already betrothed her, and she indeed affected the Match very much, but not so much out of love to his Person, as in gratitude to a man that had revenged the Murder of her Husband *Aereobindus*, and rescued her a Captive, and ready to be thrust into the loathed bed of *Gontharis*. Both consenting, *Artabanes* sent her to her Uncle, and being made General of *Africk*, desired leave upon some pretences to return to *Constantinople*, hoping thereby to effect the Marriage, get many other advantages, and in conclusion, to put for the Empire it self. The Emperour making another General in his stead, granted his request, and he accordingly returned to *Constantinople*, where being

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being a comely tall Person, and liberal, though of few words, he became loved and admired by the Citizens. The Emperour respected him with the best, made him General of his Forces in *Constantinople*, gave him the Command of all the Confederates, and farther graced him with the Title of Consul. But here was the mischief, he could not enjoy *Projecta*; for all this while he had a former Wife, his Countrey-woman, whom he Married young, and had put off upon some flight pretences. And so long as his fortunes were a-making, the fate quiet at home, but now that he was grown famous for his Actions, and great in his Incomes, she would no longer contain her self, but made suit to the Emperess to be restored to her Husband, which was effected for against his will. And *Projecta* was Married to *John* the Son of *Pompey*.

174. *Artabanes* enraged to have this return for all his good Services, so soon as the Emperess was dead, presently put away his Wife. It happened at this time, that the Emperour's Brothers Son was offended at him, for withholding from him and his Sons, an Estate left them by his Brother *Boraides*, and protecting against them, the Daughter of the Deceased, though her Father had only left her so much as the Law compelled. There was also in *Constantinople*, one *Arsaces* an *Armenian*, of the race of the *Arsacide*, and kindred of *Artabanes*. Whom being Convicted of a Conspiracy with *Chosroes* King of *Persia*, *Justinian* only punished by some lashes upon his Back, and making him ride through the City upon a Camel taking nothing from him, nor so much as Banishing him the Court. Yet heret was he discontented, and desiring how to be revenged, he took the occasion to break his mind to *Artabanes*, knowing him to be much aloof out of humour. He upbraided him with poorness of Spirit, for suffering himself to be abused, and his Countrey burthened with a perpetual Garrison and unufal taxations, having formerly been Valiant, and forward to rescue others, and pull down Tyrants. He told him there would be no difficulty at all in killing *Justinian*, who was wont to sit up till Midnight without his Guards, discoursing with some old Priests, and busie in disquisitions and endless in scanning the Oracles of Christians; besides his Kinsmen would not oppose, but rather joyn with him: *Germanus* and his Sons being wronged and disobliged by him. Finding him yielding, he imparted the matter to one *Chanaranges* a *Perfarmentian*, an handsome Youth, but nothing serious, and having brought *Artabanes* and him together, promised to draw *Germanus* and his Sons into the Plot.

Artabanes and others Conspire against *Justinian*.

175. *Justinus*, the Elder of them, who was but young, his Beard newly sprouting, yet Valiant and sharp witted, he desired to meet him in a Church, where having taken from him an Oath of secrecy, he chid him for that, being the Emperour's nearest Kinsman, he suffered Petty-fogging, and mean fellows to hold the greatest Offices, whilst *Justinian* despised both him and his Father, though a man that had attained to the height of Virtue, and suffered *Justinian* his Brother still to lead a private Life, having also deprived them of the greatest part of his Uncle's Estate, though left them by Will. *Justinus* was amazed, and flatly refused to joyn with him, affirming the same also in his Father's behalf, to whom he revealed the matter. *Germanus* acquainted with it *Marcellus* the Captain of the *Palatine* Guards, a man grave, austere, and of a rigid Life, who advised him not to reveal it as yet to the Emperour, lest the Conspirators discovering it, *Arsaces* should run away, and they be left utterly without proof, but he desired that either he himself or some of his friends might hear their Discourse. Accordingly one *Leonius* a man he could trust, was placed by *Germanus* in his Dining Room behind the hangings, and he and his Son *Justinus* staid in the Room, where they all heard *Chanaranges* plainly declaring the Conspiracy, betwixt himself, *Artabanes* and *Arsaces*; and it was agreed that the Emperour should not be killed till *Belisarius* came to Town, who being now upon his way, in case they should, after the deed done, make *Germanus* Emperour, would leavy an Army in *Thrace* and come against them, and they should never be able to keep him off; But being in the Court with the Emperour, they might enter some Evening with their Daggers suddenly, and kill *Justinian*, *Belisarius* and *Marcellus* altogether. *Marcellus* having this account from *Leonius*, yet forbore to report it to the Emperour, left by too much haste he should Ruine *Artabanes*. But *Germanus* fearing that which happened, to be suspected for delay, revealed it to *Buzes* and *Constantianus*; and afterward *Belisarius* being reported to be near at hand, *Marcellus* acquainted the Emperour with it, who caused *Artabanes* and his Complices to be committed to the common Prison, and to be strictly examined by some Principal Officers.

The Conspiracy revealed.

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176. The Conspiracy being manifest, and reduced into writing, the Senate was assembled in the Palace, where, notwithstanding the Confessions of the Prisoners, yet *Germanus* and *Justinus* had been involved in the Crime, if the testimonies of *Marcellus* and *Leontius* had not cleared them, and *Buzes* also and *Constantianus* had not deposed that *Germanus* had hid nothing from them, but demeaned himself as aforesaid. So the Senate acquitted them as innocent, but the Emperor in his Chamber stormed, and was much inflamed against *Germanus*, for his slowness in the discovery, being seconded and soothed by two officious Officers, desirous to ingratiate themselves by the miseries of other men; and the rest stood amazed without speaking a word; yielding by not opposing. Onely *Marcellus* by urging the truth vehemently, by taking all upon himself, and affirming that he discovered it more lately, because he desired more narrowly to search into it, pacified the Emperor, and got great reputation by so reasonable a virtue. *Artabanes* onely was removed from his Office, having no other harm, no more than the rest who were restrained, but not dishonourably, nor now in the common Prison, but the Palace. Thus was the Emperor in danger in the East, and his Empire at the same time more than in danger in the West, of which the Barbarians now were clearly Masters; the *Romans*, who at first carried all before them, having after a vast expence of Blood and Treasure, lost *Italy*, and standing looking upon *Illyrium* and *Thrace*, shamefully wasted by their Barbarous Neighbours. In the beginning of the *Gothick* War, the *Goths* gave to the *Franks* all that part of *Gall* subject to them, being not in a condition to fight with both, which gave *Justinian* confirmed, that he might not be crost and diverted by a War with that People; nor would the *Franks* have thought their Title sure, if the Emperor had not put his Seal to the Act. Hereupon the Kings of the *Franks* got *Marseilles*, (anciently a Colony of the *Phœceans*;) and became Masters both of the Sea and the Maritime Towns. And now, saith he, they sit in *Arles* beholding the Horse-Races there, and Coyn Gold Staters out of the Mines in *Gall*, not with the stamp of the *Roman* Emperours, (as the custom at this time was,) but with their own Images. Yet could not the King of *Persia* though he Coined silver Money as he pleased, nor any other Barbarian King, put his own stamp upon a Gold Stater, yea though he was now a much greater Master of Gold than the Emperor; For such Coyn they could not put away, though they traded with Barbarian Merchants. Moreover the *Franks* seeing *Totilas* prevail, seized the greatest part of *Venetia*; the *Romans* having no power to resist, nor the *Goths* to grapple with both at once.

The *Franks* gain in this day.

The *Gepids* also win.

The *Lombards*.

And *Herali*.

The *Roman* Army in a Noose.

The *Goths* profper in Italy.

177. The *Gepidæ* also took *Syrmiu*m and almost all *Dacia*, so soon as *Justinian* had taken them from the *Goths*, and proceeded in making spoil of the Provinces, so that the Emperor made a stop of the Pensions paid them formerly by the *Romans*. To the *Lombardi* or *Lombards*, he gave *Noricum* and the strong places in *Pannonia*, with other Towns and great Sums of money, who thereupon left their own Country, and seated themselves by the *Danube*, near to the *Gepidæ*, pillaging *Dalmatia* and *Illyrium* as far as *Epidamnus*. The *Herali* had also part of *Dacia* assigned them near the City *Singedon*, where inhabiting, they thence overran and spoiled both *Illyrium* and *Thrace*, notwithstanding they received their full Pensions, without much attendance, and some of them served the *Romans* in their Wars, and were ranked with the Confederates. But not long after, the *Gepidæ*, and the *Lombards* being too near Neighbours fell out, and a Day was appointed for a pitch Battel between them. Both *Theodisus* Prince of the *Gepidæ*, and *Audoin* of the *Lombards*, sent their Ambassadors to *Justinian* for aid against this great and bloody day. The Ambassadors on each side used many arguments, and *Justinian* after a long Consultation, refused the *Gepidæ*, and swore a League with the *Lombards* to whom he sent ten thousand Horse, and fifteen hundred *Herali*. But the *Gepidæ*, understanding the *Roman* Army to be near, compounded the difference with the *Lombards*, and concluded a Truce without the *Romans*, who thereupon durst neither go backward nor forward, but lay still, and advertised the Emperor of their misfortune.

178. But *Vigilius* Bishop of *Rome*, and the *Italians* at Court, who were both many and powerfull, solicited the Emperor in behalf of their Country. Above all *Gorkius* pressed him to it being a Patritian, and lately Consul, who was newly come to *Constantinople* for this purpose. The Emperor gave them good words, and promised to take care of *Italy*, yet he spent most of his hours in Christian Controversies, and such things as tended to the settlement of Church matters. Certainly at this time, his Affairs in that Country more and more went down the wind. For *Totilas* his Forces increased by an accession of six thousand men, brought to him

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to him by *Indiges*, a Prince of the *Lombards*. And about the same time *Nauph*, one of *Belisarius* his Life-guard, revolted to him, by whom he was presently sent with a Navy and Forces into *Dalmatia*. There being thought as honest as formerly, and appertaining to *Belisarius*, he had opportunity enough to doe mischief, putting all the Inhabitants of *Monocerus*, a Sea-town near *Salona*, to the Sword, which having sackt, he removed, and did the same to *Laureata* a Castle also upon the sea. Certain Forces in Pinaces sent against him by *Claudianus*, the Governour of *Salona*, he worsted, and forced them to quit their Vessels, which he took in the Haven of *Laureata*, together with other Ships laden with Corn and Provisions, which having done, and killed and spoiled all they found, he returned to *Totilas*: when the Winter ended, and the fourteenth year of the War, written by *Procopius*.

179. *Totilas* all this while had his mind set upon *Rome*, whither now he removed, and besieged it with his whole Army. *Belisarius* had there left three thousand of his best men, commanded by *Diogenes*, one of his Life-guard, a discreet man, and a good Souldier, who so ordered his matters, that the Siege was drawn out in length, for he diligently attended his Guards, valiantly repelled the many Assaults of the *Goths*, and by sowing Corn within the Walls, prevented want of Victual, which they cut off from the City, now blockt up by their continuing Masters of *Portus*. Had *Justinian* upon *Belisarius* his return sent another General with an Army, as he gave out he would, he might possibly have vanquished the *Goths*, *Rome* being in his obedience, and he having there an Army to join with his Succours from *Constantinople*; but though he commanded once *Liberius*, a Patritian, to be in readines, afterward he grew remiss, and cooled again. Therefore *Diogenes* having no relief, after a long time spent in the Siege, some *Isaurians* that watched at *St. Paul's* Gate discontented for their pay which had been wanting many years, and seeing the advancement of their Countrymen, who had formerly betrayed *Rome* to the *Goths*, came to a secret conference with *Totilas*, and agreed at a day assigned, to betray the City to him. He sent some Trumpeters to sound at another part of the Walls, which amazing the Defendants, when they ran to the succour of that part, he at *St. Paul's* Gate was received in with his whole Army. Much slaughter there was in the City; and such as ran out at other Gates in their way to the *Centumcellæ*, the onely Fortres the *Romans* had thereabouts, were cut in pieces by Ambushes laid beforehand for that purpose: some few hardly escaped, and *Diogenes* amongst them; but not without having received an hurt. Yet *Paulus* a *Cilician*, formerly Steward of *Belisarius* his Household, afterward a Commander of a Party of Horse, and now joined in Commisshon with *Diogenes* in the defence of *Rome*, with four hundred Horse made for *Adrian's* Tomb, and possessed himself of the Bridge leading to *St. Peter's* Church. He and his men valiantly repulsed the conquering and insulting Enemy; and when they had no Provisions left, and *Totilas* was resolved to starve them out, determined by charging the Enemy in a sudden fall to end their lives honourably, and by killing as many *Goths* as possible, to sell them at as dear a rate as they could.

180. For a confirmation and seal of such an agreement, they imbraced and kissed one another, as being all ready to perish; whereof, when *Totilas* was advertised, fearing what might be the effects of such a desperate Resolution, he sent, and offered them either to quit their Horses and Arms, and swearing never to serve more against the *Goths*, to return to *Constantinople*; or retaining their former Estates, Wealth and Privileges, to serve in his Army, in equal condition with the *Goths*. Though at first they chose to go to *Constantinople*, yet afterward fearing Ambushes, ashamed to travell on foot, and angry for want of pay, they gave their Names to the service of *Totilas*; onely *Paul*, and one *Minde* an *Isaurian*, desired to be sent into their own Countries; and *Totilas* commending them for fidelity and plain dealing, gave them Provisions for their Journey and safe conduct. The rest of the Army having taken sanctuary in Churches, and being in number about three hundred, upon assurance of Indemnity yielded to *Totilas*. He now resolved neither to quit *Rome*, nor demolish any Part of it; but replant it with *Goths* and *Romans* together, and that upon this occasion. He had lately asked in marriage the Daughter of the King of the *Franks*, who rejected his motion for this Reason, That he neither was, nor ever would be King of *Italy*, having indeed taken *Rome*, but not being able to keep it, because he had demolished part of it, and quitted the rest to his Enemies. Now therefore he brought in Provisions, and commanded to re-edifie what he had formerly broken down, sent for the Senators, and other, *Romans*, confined to *Campania*; held the solemnity of the *Circenian* Games, and then prepared for a Voyage into *Sicily*. Yet he sent and desired Truce of the Emperor, offering that

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the Goths should serve him in his Wars against any other Nation. But Justinian suffered not the Ambassadors to come to his presence, and utterly rejected the Proposition. Which having understood, he first thought fit to attempt *Centumcellæ*, and then having once mastered it, to prosecute his intended Voyage into *Sicily*. But coming to treat with *Diogenes* the Governour, and finding the Garrison reasonably strong; he was content, that according to their motion they should send to the Emperour for Relief; and if none came, then to surrender the Town by a day prefixed, and thirty Hostages were given on both sides. Raising then his Siege, he went for *Sicily*; in his passage attempted *Rhegium*, which holding out stoutly, he blockt it up with part of his Army, hoping to starve them out. He sent Forces also, and took the Castle of *Tarentum*; And at the same time *Ariminum* was betrayed to some of the Goths lying in *Picenia*.

Justinian neglects Italy.

The Sclavi make great Devastations.

181. Justinian moved at this his Success, named *Germanus*, his Brother's Son, General in the War with absolute Authority, and commanded him to be in readiness; at the report whereof the Goths were troubled, *Germanus* having a great Name in the World, and the Roman Souldiers were much encouraged. But the Emperour, for what reason is uncertain, changed his mind, and appointed *Liberius*, a Citizen of *Rome*, for the service; who accordingly made himself ready, expecting instantly to sail away. But afterward Justinian again changed his Resolution as to sending him with a Land Army, and the Affairs of *Italy* were neglected, where also at this same time, *Verus* having headed many of the most valiant Roman Souldiers, was after much loss defeated and slain. Now also a Party of some three thousand *Sclavi* passing the *Danube*, and the River of *Hebru*, parted into two Companies, and did much mischief, defeating several of the Roman Commanders in *Thrace* and *Illyrium*, although they overmatched them in numbers. *Asbadus*, one of them, they took Prisoner, and burnt alive, having first cut thongs from the Skin of his Back. Though never before they had passed the *Danube*, nor foraged the Roman Provinces, now they pillaged and wasted all without controul, and took in *Thrace* and *Illyrium* many Castles, piercing as far as *Topserum*, twelve days journey from *Constantinople*, being the first Sea-town of that part of *Thrace*. Coming before this Town, most of them hid themselves in the Fastnesses adjoining. Some few of them alarm'd the Romans within, who thinking them no more than they saw, sallied out upon them, at which the Barbarians seem'd afraid, and ran away: But the Romans being drawn far from the Walls, the Ambushes rose, those that fled, now turned head, and charging them on all sides, cut them in pieces. Notwithstanding, the Inhabitants thus deprived of the Souldiers assistance, refused to yield, and resisted the Assailants as they could, pouring down upon them boiling Oil and Pitch, and casting down great Stones, by which means they seem'd for a while to prevail and resist the danger. But the Barbarians at length with showers of Arrows forced them from the Battlements, and with their Scaling-ladders took the City by assault. Fifteen thousand men they killed in it, and having sackt it, made the Women and Children Slaves, contrary to their former practice; for they had spared neither Sex nor Age, but killed all they met with since their first entering the Roman Territories. Hence came it to pass that all *Thrace* and *Illyrium* were scattered with dead Bodies. They used no compendious way to fend them out of this miserable World. They killed them not with Swords or Lances, as was the usual manner; but pitching Stakes into the Ground with sharp ends upward, set the poor Wretches upon them at their Fundaments; then forced them downwards, and the Stakes up into their Entrails. Having also tied the Hands and Feet of their Prisoners to four Stakes, they knockt them on the Head with Clubs, and killed them like so many Dogs or Snakes. Others having shut up with such Cattle as they could not drive into their own Country, they burnt together without mercy. At last, drunk with Blood, they were pleas'd to keep alive all they met, and both Parties returned home loaded with Wealth, and enriched with innumerable Captives.

Totilas wastes Sicily.

Justinian makes his Nephew Germanus General against the Goths.

182. In the mean time *Totilas* wasted *Sicily*, having attempted *Messina* to no purpose. *Thurincuth* and *Himerius* having gallantly demeaned themselves in *Rhegium*, when all their Victual was spent, yielded themselves and the Castle by composition. The Emperour at the news of these Successes, having revoked his Commission to *Liberius*, who was an extreme old man, and no Souldier, sent *Artabanes* for *Sicily*, remitting his Crimes, and making him General of the Forces in *Thrace*. His Nephew *Germanus* he now constituted General against the Goths, giving him no great Army, but money to raise one of good importance in *Thrace* and *Illyrium*; whence he ordered him to march for *Italy*, accompanied with *Philimuth*, Captain of the *Eteruli*, and *John* the Nephew of *Vitalianus*, his Son-in-law, and General of *Illyrium*, where he

Asbadus Hæstibode, rex Romanus, a Brito Melienger. Pro Bode Justinianus irrepsit Franciscum Hæstenger. Sed est in usque apud Belgas. Victor enim publicus dicitur Eten Bode.

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he resided. *Germanus* had a great ambition to add the glory of recovering *Italy* to his former Reputation got in *Africa*, which he thought he might the more easily effect by means of *Matsasuntha*, the Daughter of *Amalasuntha*, and Grandaughter of *Theodorich*, whom after the decease of *Passara*, his former Wife, he had married, she being also now a Widow; for *Vitigis*, her former Husband, was lately dead. He more than hoped that the Goths would be ashamed to lift up their hands against this Lady, out of respect to the memory of her Progenitors. To this Incouragement was added a great confidence he had in the strength and affection of his Souldiers. For being very liberal in disbursing, not only the Emperour's Treasure, but his own private Money, he levied quickly and unexpectedly a very gallant Army. The best Roman Souldiers left their ordinary Commanders to follow him, though of sundry Nations. Nay, the very Barbarians about the *Danube*, allured by his Fame, joined with him, and that not empty handed, but bringing with them good store of Money. The Prince of the *Lombards*, particularly, engaged to send him a thousand men well armed. Now Report, as in all humane things else, making all this much more in *Italy*, the Goths were much afraid and troubled, especially considering they were to make war against the Posterity of *Theodorich*. The Roman Souldiers there, to his farther content, sent him word they were ready to join with him; and taking courage, resolv'd to keep their Towns for the Emperour's service; nay, those that were beaten in the defeat of *Verus*, and now straggl'd up and down, hearing that *Germanus* was upon his way, rallied in *Istria*, and expected his coming. *Diogenes* also being summoned by *Totilas* to surrender *Centum cellæ* according to their Capitulation, answered, that now that *Germanus* was declared absolute General, he had no power; but he desired him to send him back his Hostages, and he would restore those given him by the Goths. So he carefully guarded the Town, expecting *Germanus* with his Army. And thus ended the Winter, together with the fifteenth year of the War, written by *Procopius*.

183. But more than all this, *Germanus* had a farther incouragement and Omen, as it might well be esteem'd, of his future Success, while he was yet drawing his Army together, and exercising his Troops at *Sardice*, a City of *Illyrium*. For a number of *Sclavi*, greater than ever formerly had passed *Ister* (or the *Danube*) foraged the Roman Territories as far as *Naysum*; but hearing that he was appointed to oppose their Designs of taking *Thessalonica*, and the Towns about it; and having formerly understood what, in the days of *Justinus*, his Great Uncle, he had done against the *Antians* their Neighbours (whom he so totally defeated in an Invasion they had made, that he scarcely left one of them alive) and supposing him to have a very great Army, as being sent against the Goths, they relinquish'd their former Purposes, and departed over the Mountains of *Illyrium* into *Dalmatia*, not daring to appear in the Champion; so that he despising them, ordered his Army to be in readiness within three days to begin the Journey into *Italy*. But here see the lubricity of humane hopes, prosperity and greatness, with the potent fate of the Roman Empire now in her decrepit Age. He suddenly fell into a sickness and died, both a virtuous and valiant man, an excellent General, and a daring Souldier. In peace and quietness an earnest Observer of Laws and good Government; an upright Judge, and so charitable, that he often lent great sums without so much as talking of a penny Interest. In the Palace and Forum he was severe and grave; but at home and at his Table pleasant, free and obliging; preventing, as much as in him lay, all disorders at Court, and never engaging himself in any of the Factions of *Constantinople*: a thing too much practis'd by other great ones. The Emperour much afflicted with this sudden Accident, commanded *Justin*, one of the Sons, and *John*, the Son-in-law of *Germanus*, to lead the Army into *Italy*; who, so far as much as it was not possible in that season to compass the *Adriatick* Gulf; and wanting Ships wherewith to cross it, march'd into *Dalmatia*, with intention to winter at *Salona*.

Germanus dies.

His Commendation.

184. *Liberius*, who, as it seems, had heard nothing of the Emperour's change of mind, nor these Alterations, with the Fleet under his command put in at *Syracuse*, now besieg'd by the Enemy, and forcing his way into the Haven, got his Army into the City. *Artabanes* making towards him through the *Adriatick* Sea, near the Coast of *Calabria*, met with a great Tempest, which scattered his Fleet, and overset some of his Ships, that wherein he was imbarcked spent also her main Mast; and being abandoned to the Wind and Waves, after much danger, drove to the Island of *Malta*, by which means he was unexpectedly preserved. *Liberius* within a small time not able to fight with the Enemy, and starved out of *Syracuse*, stole thence into *Panormus*. *Totilas* in the mean while ranfact all *Sicily*; and having got much Fillage, departed back into *Italy*, leaving four strong Garrisons in the

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Island, thereto perswaded by one *Supinus* a Roman of *Spoleum* and his Assessor, who being taken Prisoner by his Countrymen, they refused to dismiss him upon other terms, than that he should perswade the *Gotbick* King to this Retreat, which he easily did, by frightening him with the approach of *John* and *Justinian* with a great Army. Those two Commanders intended, by the beginning of the Spring, to march from *Salonæ* by Land to *Ravenna*, when the *Sclavi*, both those who formerly foraged the Empire, and others, spoiled again with all liberty the Roman Provinces, whether hired by *Totilas*, to divert the Emperor from the *Gotbick* War, as some suspected, or otherwise led by a desire of booty, and their own inclination to a Ravenous kind of life. They divided themselves into three Parties, and were now grown to that height of Confidence, that they sacked not the Cities, but Wintred in them as in their own, without all fear or suspicion. The Emperor with the latest sent an Army against them, Commanded by *Scolasticus* an Eunuch of his Palace, which met with one party of them near *Adrianople*, a City Situate in the heart of *Thrace*, and five days Journey from *Constantinople*. The *Sclavi* loaded with booty, declined the fight, and incamped upon a Mountain, where the Romans besieged them, till the Soldiers murmured at their Commanders for want of Provisions, and delayed to engage the Enemy. But being at length forced to engage, the Battel was hotly fought, and the Romans were beaten; many of their best men slain, and the Commanders themselves escaped narrowly, the Ensign of *Constantianus*, one of them, being taken in the Field. Now the Barbarians despising the Roman Arms proceeded in their course, and wasted the Countrey called *Africa*, which having never formerly been touched, afforded them good store of booty. They ranged up the Countrey as far as the Long Walls, but one days Journey from *Constantinople*, but provoked the Romans to so great an height of Indignation thereby, that afterward part of them they routed, after much slaughter, rescued great numbers of Captives, and recovered the Ensign of *Constantianus*. The rest of the *Sclavi*, with the remainder of their booty departed home.

185. *John* the Sisters Son of *Vitalianus*, and Son in Law to the late *Germanus*, as was before hinted, past that Winter in *Salonæ*, with which the sixteenth year of the *Gotbick* War received its period. The Commanders in *Italy* expecting daily his coming, forbore all Action, and when in the Spring following, he resolved to lead his Army against *Totilas*, he was countermanded by the Emperor, who ordained him to expect the coming of *Narces* the Eunuch, whom he had made Captain General, with full authority in the War. Thus did *Justinian* by changing so often his Resolutions, much hinder the progress of his own affairs, for *Narces* his march was but slow, being opposed by some *Hunnes* in his passage, so that *John* might expect long enough, as he was Commanded, and be sufficiently wearied with expectation. Therefore shall we leave him for the present at *Salonæ*, and giving time to *Narces* to make his expedition into *Italy*, return again and visit *Chosroes*, to see how he has behaved himself all this while, and what use he made of his ignominious Retreat into *Persia*, beginning where we left at the time of the Plague, and the return of *Belisarius* to *Constantinople*. We shall find him march Northward to *Ardebilgar*, a Town in *Assyria*, and there repenting what he had formerly done, with purpose thence to invade the Roman Territories again, having incouragement, it seems, from the Oracle of this place; for here was a great Pyreum where the *Magi* kept a perpetual fire, which the *Persians* worshipped above all Gods, offering much Sacrifice, and consulting it after their manner, in their affairs of greatest Importance. But when he thought of War, he changed his Resolution, hearing of two Ambassadors sent from the Emperor to treat of Peace, of whom *Constantianus* fell sick by the way, and the Plague at length came into *Persia*. This put him upon a necessity of desiring an Accommodation, and he accordingly sent to *Valerianus*, praying that all hostility might be forborn, and the Ambassadors dispatched away. But the Romans knowing well enough that his difficulties and straits were their advantage, and hearing moreover that his Son conspired against him, by order from the Emperor invaded *Perfarmentia*, with an Army of thirty thousand men. Coming into *Dubia*, a territory eight days Journey from *Theodosiopolis*, there in a Village seated in a narrow passage of a ragged Mountain, *Nabades* had fortified himself, who, with four thousand men laid in Ambush, first put the Roman Army into Confusion, and then drawing out his whole power, routed them, and made them all run away. The *Persians* could not believe them so egregious Cowards, but suspected some Ambushes, so that driving them out of the Fastnesses, they then turned head, not daring with a few to encounter so many in a Plain. But the Romans, (and especially the Commanders,) thinking the Enemy still pursuing,

The Romans invading *Perfarmentia* shameful-ly beaten.

Procop. de bell. Goth. lib. 4.

Redund. ad paragr. 143. hic per cap. Sed. 1.

Procop. de bell. Persic. lib. 2.

ran

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ran without intermission, urging their Horses both with Whip and Voice, and casting away their Arms in fear and haste. In a word, such a disaster the Romans had not formerly felt, and such a running away it was, that scarce an Horse over-lived it, but died Hartbroken as soon as the course was ended. Many were slain, more taken Prisoners and made slaves, and so great a quantity of Arms and Baggage was left, that the State of *Persia* rich before, appeared much richer by this victory. But such are the effects of the equal power of many Generals, and the licentiousness and negligence of an Army. For, the Commanders taunted one another, were careless of fighting, and fearless of dangers, attending only pillage and rifling. They marched confusedly without discipline, nay without a watchword (as the usual custom is,) or distinction by any kind of order. The Soldiers not concerning themselves, where they found their Officers void of all care and circumspection, mingled with those that attended upon the Baggage, and marched as to some great booty ready prepared for them; which in conclusion ended in such an entertainment as they had deserved.

The effects of having many Commanders, and of disorder.

186. *Chosroes* incouraged by so unexpected good fortune, when he could least hope of any success, the next year invaded the Roman Territories the fourth time, making an Inroad into *Mesopotamia*. But this Expedition seemed not made against man, but God himself, and had an issue suitable to Irreligion and Impiety, though proceeding from a Paganish superstition. For in his first Invasion, when he retired from *Edeffa* without having any thing performed, he and his *Magi* were much discontented to be overcome by the God of the Christians, whereupon he threatened and resolved, to make the *Edeffians* Slaves, and to turn their City into a Pasture for Cattel. Being now come before the place, and disappointed of his expectation at the first Onset, being also, as some thought, troubled with a dream, or apprehending the disgrace of missing *Edeffa* twice, he thought presently of felling his Retreat to the Inhabitants for money. *Paul* his Interpreter, procured a conference, wherein all the money they had in the Town being demanded, they refused to buy their security at so dear a rate, and the Commissioners he commanded to be gone in great Anger. The eighth day then of the Siege, he began to raise a Mount, the Foundation of which was a square work of Trees cut down with the leaves on; over them was spread much Earth, and above lay stones in a rude unwrought manner, (his only care being to raise the Mount speedily,) putting between the earth and stones, peices of Timber to fasten the Work, and make it stronger. The Defendants at first did the Workmen much damage, but afterward the Guards were so strengthened, that none durst approach, and the *Persians*, by hanging upon Poles before the Labourers Clothes made of Goats hair, kept off both the fiery Darts and Arrows. The Romans, now afraid, sent Messengers to the King, and with them one *Stephanus* a famous Physician, who had formerly done a cure upon *Cabades*, and had got a great Estate by him. He upbraided him, though in civil expressions, of ingratitude towards himself, telling him that *Edeffa* could least have expected such cruel usage at his hands, it being the place of his Nativity, who had formerly fostered him, and by counselling his Father to appoint him his Successor, had been a principal Authour to him of the Empire of *Persia*, and to his County of all those miseries it had undergone. Yet *Chosroes* flatly refused to rise from thence, till the Romans had delivered into his hands *Peter* and *Peranios* his Father's Slaves, who now presumed to bear Arms against him; or instead of this, paid him five hundred centenaries of Gold, or else would admit his Officers to search the City, and thence to bring him all the Gold and Silver they could find within it. This he spake at random, not caring what he said; for he expected with ease to take the Town. The Messengers finding his propositions impossible, returned much troubled. And the City, upon their report of his Demands, was filled with noise and lamentation.

187. The Mount in the mean time rose to a great height, and went on apace. The besieged in great perplexity sent other Messengers becoming Sutors for the same things, but they were not regarded, but driven out of the *Persian* Camp with scorn and derision. Their way then they thought was to raise their Walls higher toward the Mount; but herein they were not able to keep pace with the *Persians*, and so gave it over. Then did they employ *Martinus*, (who with *Peter* and *Peranios*, two other Roman Commanders, lay in the Town,) to treat and conclude as well as he could for them; but the *Persians* only amused him with fair words, to spend time till they could bring their Mount to perfection. In the mean while, the Romans drew a Mine to the Enemies work, and left not till they came under the middle of the Mount, where being discovered, the *Persians* cross-mined on both sides,

He falls upon *Edeffa*.

Seçt. 1. sides, to catch them in the middle. They perceived it, and there stopped up their Mine with Earth; then hard by made they a little hollow Room, where they laid dry Logs steeped in Cedar Oil and *Affyrain* Pitch. These Logs, when the *Persians* had sent back *Martinus*, and were falling to work, did they set on fire, which burnt part of the Mount, and when they were burnt out, and spread not to the whole, they supplied still the little Room with more. The smোক from the Mount appearing at Night, they prevented the discovery, by shooting small Vessels filled with burning Coals and fire Darts all over the Mount, and the *Persians* thinking the smোক came from them, ran to quench them. But the fire prevailing at length, they were undeceived, and piteously crying, were shot and killed from the Walls. *Chosroes* in the Morning discovered the matter, and they all cast on, from each others water, which abated the smোক there; but presently it brake out in another place more vehemently; the water also added force to the Sulphur and the *Affyrain* Pitch, so that the fire prevailed over it, and about the Evening following, the smোক was so high, that it was seen at *Carræ*, and other neighbouring parts. Then followed several Skirmishes upon the Mount, wherein the *Romans* still had the better, till the flame rose so clearly, that it forced the *Persians* to abandon the Work.

188. *Chosroes* thus disappointed of his hopes from the Mount, kept himself quiet for five days, and then resolved to make an assault before it was light, to take the Enemy at advantage and surprize him. And his Design was not far from taking effect, for the *Romans* were all fast asleep, and the *Persians* set to their Ladders and were mounting, when in the nick of time, they were discovered by a Peasant who awakened the besieged. Then they opposed the Assaultants with such vigour, that they drove them back to their Camp, and took up their Ladders they had left behind them. About Midnight, *Chosroes* had the same success at the Great Gate, from which he was repulsed, and as the *Romans* were giving the Chase, *Paul* the Interpreter put himself amongst them, and told them that *Recimer* was newly arrived, being sent Ambassador from *Constantinople* about a Peace. And he had indeed been four days in the *Persian* Camp, but they concealed it from the besieged, expecting the event of their Attempts, which if they succeeded well, they resolved to come to no treaty at all; but in case they were beaten, as now they were, they thought they might come to it safely, the *Romans* having invited them. Upon demand of some to be sent out to treat with *Chosroes*, the besieged answered, they would within three days send *Martinus*, who at this time was sick; which delay, the King suspecting not to be sincere, prepared for War, and commanded good store of Bricks to be laid on the Mount. Then, after two days, did he with his Ladders and Engins begin another Storm, placing his Squadrons at every Gate, and behind them *Saracens*, who, when the Town was taken, should lay hold on such as ran away. The *Romans* not being aware of the Assault, and very few in comparison of the Assaultants, at first seemed to have the worst, but what they wanted in numbers, they supplied in diligence, for none were idle, the men resisted valiantly, the Peasants themselves did bravely, and the very Women and Children, together with Aged Persons, did their part, some bringing stones to the Combatants, and others throwing down scalding Oil upon the Heads of the Enemy.

189. The *Persians* finding this opposition refused to fight any longer, yet *Chosroes* in a rage with threats and some violence brought them on again, and with shouts and Engins they began a new Assault, with such seeming alacrity, as if they would presently enter. But the Courage of the besieged again prevailed, who having repulsed *Chosroes* and his men, now hift at him, and dared him to a fresh Encounter, taking encouragement from some Sallies which had been made very successfully. The fight having lasted all the day, both sides passed the Night unquietly, the *Persians* being afraid of their Trenches, and the *Romans* providing stones and other things necessary against an Assault the next morning. Yet did not the Barbarians then come on, but the day following, a part of their Army animated by *Chosroes*, set upon one of the Gates, but were sent back again with disgrace to their Camp. Then did *Paul* the Interpreter call to the Walls for *Martinus* to treat an Accord, which being done, *Chosroes* received from the *Edeffians* fifty thousand Gold Staters, and subscribing the Articles, promised no more to infect the *Romans*, but setting his Palisadoes and other Works on fire, went home with his Army. About this time, *Justus* the Nephew of *Justinian*, and *Perantius* dying, the Emperour constituted *Marcellus* his Sisters Son, as yet but a youth, and *Constantianus* his Ambassadors to *Chosroes*, who having Audience in *Affyria* near *Seleucia* and *Ctesiphon*, they demanded restitution of places in *Lazica*, and a Ratification of the

He picks up and goes home.

the Peace. But the *Persian* alledged, that a Peace would hardly be good without a Truce first concluded, during which by mutual concourse and Communication, they might better understand one another, and firmly determine the perpetual Peace, which he also affirmed the *Romans* must purchase with money, and farther send him one *Tribunus*, with whom by a certain day he would conclude the Business. This *Tribunus* was a Physician, who having cured *Chosroes* of a great Sickness, he was much his friend and very grateful; The Emperour therefore sent him, and with him twenty thousand Staters of the money demanded. And so a Truce was concluded for five years, in the nineteenth year of *Justinian's* Reign, which was the eleventh of the *Gothick* War, at what time Rome was besieged by *Teitilas*, and *Belisarius* expected supplies from *Constantinople*, A.D. DXLV.

190. Shortly after, *Alamundarus* and *Arethas* had Wars with each other, without any assistance from either *Persians* or *Romans*. In an Inrode *Alamundarus* took a Son of *Arethas* Prisoner, and Sacrificed him to *Venus*. From him was discovered how *Arethas* told the Emperour's Affairs to *Chosroes*. But *Chosroes* now rid of the War with the *Romans*, had his mind running upon *Lazica*, of which he had a great desire to make himself Master, and that with good reason, for the Countrey he truly apprehended would be of manifold use to the Crown of *Persia*. First, it would keep the *Iberians* in perfect awe, who in case of a Revolt would then have none to fly to, as formerly they had upon all occasions. Then would it joyned to *Persia*, not only keep the Provinces thereof free from the Inrodes and devastations of the *Hunnes* bordering upon it; but by this means, the King if he had a mind might oblige them to invade the *Roman* Territories, there being no Rampart against the Barbarians of Mount *Caucasus*, but only *Lazica*. In conclusion, *Lazica* would advantage the *Persians* in a matter of no less moment than, by issuing from thence, to infect both by Land and Sea, the places upon the *Euxine*, to subdue *Cappadocia*, *Galatia* and *Bithynia*, and to surprize *Constantinople* it self, for there would be no sufficient Obstacle in their way. Upon these important Considerations, he desired to have *Lazica*, but was at a loss how to compass it, having no reason to have any confidence in the Nation. For the *Lazians* were not formerly so dissatisfied with the *Romans*, but they were much more discontented at the demeanour of their new Friends the *Persians*, who of all men had least variety in their humours, their manner of Life being extremely strict, their Laws hard of digestion, and their Commands intolerable. In reference to the *Lazians*, the difference appeared infinite, not only in respect of humour and disposition, but Religion also. The *Lazians* were Christians, none more, but the *Persians* quite contrary. And another thing yet disordered them above measure. For no Salt being made in *Lazica*, nor Wine, nor other Native Commodities, all was Imported to them from the *Roman* Sea Coasts, not for money, but in exchange for Skins, and Slaves, or other things wherewith they abounded. From which being now barred, they were highly discontented. *Chosroes* being so quick as to perceive it, consulted upon some late course for prevention, before they should stir for an alteration; and all considered, thought it most expedient to rid away *Gubazes* their King, to transport the Nation, and to plant their Countrey with *Persians* and others.

191. But that he might not be absolutely idle and wanting to his Interest on the *Roman* side, but strengthen himself in those parts as much as possible; he sent *Isidignus* to *Constantinople*, ordering him under pretext of an Embassy, and the attendance of his Wife and two Daughters, with five hundred men to get into *Daras*; to set some Houses thereof on fire, which whilst the Inhabitants should be busie to quench, they should open the Gates, and receive in the Governour of *Nisibis*, who was ordered to be in readiness with Forces concealed thereabout. But the matter was revealed by a *Roman* fugitive, and *Isidignus* failing in his Plot, proceeded on to *Constantinople*, where having access to the Emperour, he had little to say, but delivering Presents and Letters of Compliment, he was entertain'd with more grace, favour and charge, than ever Ambassador had been known to be. For both him and his Interpreter *Justinian* admitted to his own Couch at Meat, whereas no man ever before, saw an Interpreter sit at table with the meanest Governour; And though he had no business, he was dismissed with more respect than ever any Ambassador, his Charges and Presents coming to more than ten Centenaries of Gold. In the mean time, *Chosroes* driving on his Design for *Lazica*, sent thither much Ship Timber, giving out it was for Engins, to stand upon the Walls of *Petra*. Then sent he one *Fabricus* with three hundred chosen Men, and privately instructed to kill *Gubazes*, but he discovering his Errand to *Pharshases*, then in some disgrace whom he expected to have an Assistant in the Work, he was so honest as to reveal the

The Quinquennial Collection.

Chosroes purpose to be Master of *Lazica*.

Justinian lavish to his Ambassador.

Redi ad Injux
Sect. paragr. 20.
ubi de Alamund.
& Aretha.

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Sends aid to Lazica.

the Treason of *Gubazes*, who stood upon his Guard, and reporting to *Justinian* the present State of his Affairs, begged his pardon for what was past, and his present assistance to shake the *Persian* Yoke from off his Shoulders. The Emperour was glad of the News, and sent him eight thousand men under Command of *Dagiftheus*.

192. These Forces joyned with the *Lazians*, and besieged *Petra*, which being victualled held out a long time, against all their Assaults and Stratagems. *Chosroes* much disordered at the News, sent to its relief a great Army of Horse and Foot, under the Conduct of *Mermeroes*, whereof *Gubazes* having notice, wrote to *Dagiftheus* to send Forces to stop the Passage beyond the *Phasis*, and not to raise the Siege till *Petra* was taken. He himself with his own Army marcht to the utmost borders of *Lazica*, to fortify the Passage there; and having hired some *Alans* and *Sabirians*, to help to Guard his Countrey, he wrote to the Emperour for money, alleging that he was also in arrears to himself for ten years, being inrolled a *Silentiary* of the Imperial Palace. *Justinian* at first purposed to gratify him, but the matter was put off, and the money delayed to be sent. And *Dagiftheus* being a young man, and unable to manage a *Persian* War, made no advantage of the opportunities which were offered him. For whereas he should have sent to the Passage most of his Army, and been himself present at the Action, he sent, as if the business had been slight, but two hundred men, and did nothing upon *Petra* with all his Forces, where the Enemy within being at first not fifteen hundred men, and continually shot and slain at the Assaults, after as much Valour as ever men shewed, were reduced to a very few, and those despairing and unable now lay still. Had he made right use of his Mine, and put in due time fire to the Supporters, the Town had been taken, but he dallied with hopes from the Emperour to whom he wrote, urging him for rewards of Victory, and appointing what he and his Brother should have after the taking of *Petra*. Nay, when part of the Wall was ruined, he neglected to enter the Town, but suffered himself to be amazed and fooled by *Mirranes* the Governour, who gave him fair words, and told him he would shortly surrender the Place. In the mean time, *Mermeroes* with loss of a thousand men, when the two hundred *Romans* weary of killing, had retired to the Mountains, entered the Passage; which *Dagiftheus* understanding, without giving any direction to the Army, galloped away toward the River *Phasis*, (which first having the name of *Boas*, runs through the Countrey,) with all the *Romans* at his Heels. Leaving their Baggage for haile, the Garrison issued out and rifled it; but a thousand *Traxians* who had followed *Dagiftheus* in the expedition but not in his flight, came in to the rescue, and having beaten them back, they themselves ransacked the *Roman* Camp. Which done, they went to *Rbizæum*, and thence returned home by *Athens*, (a populous Town Situate in the *Roman* borders,) and so by *Trapezond*.

The base flight of Dagiftheus.

193. The ninth day after the flight of *Dagiftheus*, *Mermeroes* with his Army came to *Petra*, where he found remaining of the *Persian* Garrison but three hundred and fifty men, whereof one hundred and fifty were onely found, the rest were wounded and unserviceable. Having hence occasion enough to scoff, as he did, at the demeanour of the *Romans*, he had also much cause to joyce and triumph at the Valour of his Countrey-men, whom he found so self-denying, and careful of the interest of their Prince, that the survivors had not cast the Dead bodies from the Wall, but endured almost stifling with the stench, that the Enemy by seeing so many lost, might not be the more encouraged to fresh Assaults. The Walls he carefully repaired as well as he could, and wanting Lime and other Materials, he filled with Sand the linen Bags, wherein his men had brought their Provisions, and laying them instead of stones, made this serve for Walling. Then leaving three thousand men for a Garrison, not victualled for any long time, with directions to proceed in the Repair of the Walls, he himself with the rest of the Army, returned homeward. For though he had forced the Passage beyond the *Phasis*, yet could he not incommode *Lazica*, being not able to cross the River without Ships, which is so deep and broad, and so swift, that it enters the Sea a good way, (at least it did in the days of *Procopius*), unmingled with Salt water, Passengers taking up fresh there to their great convenience; besides the Ships and many Fortresses on this side made landing very difficult. Moreover *Justinian* had at last sent away the money promised to *Gubazes*, besides a good Army, under Conduct of *Recibangus* a *Thracian*, very wise and an excellent Souldier, though it was not yet arrived.

Mermeroes retires out of Lazica.

194. *Mermeroes* quitting *Lazica*, went into *Perfarmenia*, and lay quiet in the Towns about *Dubis*. But having an eye still to *Petra*, which he knew was very

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meanly victualled, he left five thousand men with *Fabrozas* and other Commanders, who of the Provisions they could get were to transport the greatest part to *Petra*, and live upon the rest. These men incamped by the River *Phasis*, on the farthest Confines of *Lazica*, stragling about for booty; *Gubazes*, who was aware of it, sent for *Dagiftheus* to come up to him. He endeavoured it, marching with the *Phasis* on his left hand, till the *Lazians* understanding the River to be fordable, passed over and joyned with him, neither the *Persians* nor *Romans* themselves knowing the Ford. Then did they jointly set upon a thousand men, whom the *Persians* had sent out as a flying Guard to prevent any infesting of their Camp, of whom none escaped, but most were slain, and the rest taken. Encouraged by this success, they proceeded farther; and learning the estate and condition of the main Body, unexpectedly fell upon them after midnight; and finding some asleep, some hardly awake and naked upon their Pallets, but all surprized and without a thought of fighting, killed most of them. Some they took, and some few escaped in the dark. But of their Camp they easily made themselves Masters, with all their Ensigns, much Arms and Baggage, besides a great number of Mules and Horses. Following the execution far into *Iberia*, they cut off several other *Persian* Troops they met with, and burnt a quantity of Meal and other Provisions which was on its way for relief of *Petra*. So leaving at the Passage some numbers of *Lazians* to block up all access with Provisions to *Petra*, they returned with all their Booty and Captives. And thus ended the fourth year after the Quinquennial Cessation, being the fifteenth of the *Gothick* War, wherein *Totilas* took *Rome* the second time, the twenty third of *Justinian's* Reign. A. D. DXLIX.

A great victory of the Romans and Lazians over the Persians.

195. The year following another *Persian* Army invaded *Lazica*, commanded by *Corianes* a *Persian*, and an experienced Commander, with whom joyned also a number of *Alans*. They incamped in a Province called *Muchirifis*, lying upon the River *Phasis*, not navigable there, but passable by Men and Horses, and they in-trenched to the right hand of it at some distance. Full often had the *Persians* invaded the *Roman* Territories under *Chosroes*, and done mischief not by any Pen to be expressed, yet they got little by it, but returned still with much loss, so that they murmured against their King, and stuck not to call him the Ruiner of their Nation; Once particularly coming home out of *Lazica*, and being fallen into some great extremities, they were ready to mutiny, and had slain him, if he had not foreseen and prevented it by gaining the Principal of them with fair words. Being therefore desirous to find some real Apology and a serious excuse, he had long beat his Head how he might notably advance the Interest of the *Persian* Empire. He attempted *Daras*, and failing in this Enterprize, as we shewed before, thought of taking some other *Roman* Town; but to doe any thing of moment within the Countrey, he judged it impossible, leaving so many strong Places at his back. For this reason he laid *Antioch* flat with the ground; and quitting the *Roman* Territories, his thoughts mounted after hopes farther off and full of difficulty. For hearing how the Barbarians, seated on the left hand of the *Euxine* Sea, about the Lake of *Maotus*, did without controul waste and overrun the *Roman* Provinces, he thought why might not he, having *Lazica* in his hands, without crossing any Sea, make his Inroads as far as *Constantinople*? This made him so restless to become Master of *Lazica*, as we hinted before.

Corianes sent by Chosroes.

196. *Corianes* with his Army removed to the River *Hippis*, whence it was resolved by *Gubazes* and *Dagiftheus* to fall upon him, to give a demonstration of their courage, and abate the spirit of the Enemy. The *Lazians* were frolick and confident out of measure, disdaining that the *Romans* should shew themselves equally valiant, the stake being theirs for which they were to strive, their Lives, Fortunes, Wives and Children being all engaged. Yet when they, marching before, came to charge the Avant Couriers of the Enemy, they fairly gave back and retired to the *Roman* Horse, who renewed the charge, and forced the *Persians* to retire and expect the coming of the rest of the Army. Then came up the Infantry both of *Gubazes* and *Dagiftheus*, and joining with the Horse came to handy-blows. But the *Roman* Horse proving too weak for the *Persian* Cavalry, order was given for both *Lazians* and *Romans* to alight, and with the Foot they stood in a deep battalion opposite to the Enemy, and charged with their Lances. This pulled the *Persians*, who could not grapple with their Enemies now on foot, nor break their battalion, their Horses flying back, disordered by the heads of the Lances and noise of the Targets. They resolved therefore to try if they could break them by showers of Arrows, whereupon the *Romans* and *Lazians* let fly thick again upon them, and many were slain on both sides; the *Persians* and *Alans* discharging oftner, but their Arrows for the most part

S bounding

SECT. I. bounding from the Roman Shields. At length *Corianes* the Persian General was slain by a shot in the Neck, and his death swayed the Victory to the opposite Party; for he falling from his Horse, his men presently ran away to their Camp with the Enemy at their heels, who thought to take it at the first Assault. But an *Alan*, a strong and lusty Fellow, and very dextrous in shooting, put himself into the narrowest entrance into the Trenches, and stopp'd the Invaders a long time, untill *John Guzes*, a valiant Roman Officer, killed him with his Lance, and then was the Camp speedily taken. Many Persians were cut off as well here as in the Fight, and the rest returned home as they could: such being the success of this Persian Invasion of *Lazica*. After which another Army came, and victualling the Garrison in *Petra*, retired without more ado.

Bessas ordered to command in *Lazica*.

The Abasgians and Apfilians reduced.

The Son of *Chofroes* usurps.

Whom by blinding his Eyes he makes incapable of the Kingdom.

197. In the mean time, whilst *Dagisthaeus* was thus employed against the Persians, the *Lazians* at *Constantinople* accused him of Treachery, and favouring their Enemies in the management of the Affair at *Petra*; the business of the Mines, and the Fortification by Sackfull of Sand, being all ripe up. Hereupon he was by the Emperor's Order confined to his House, and *Bessas*, lately come out of *Italy*, was made General of *Armenia*, with instructions to command the Army in *Lazica*, sent thither before under conduct of *Venilus* and others. *Nabodes* the Persian coming again into *Lazica*, drew the *Abasgians* to revolt from the *Lazians* and *Romans*. For being tired out with the incroachments and oppressions of the Roman Garrisons, after they had deposed their Kings, they grew desperate, and chose rather to resume their former condition, though bad, than fall into absolute slavery; and fearing still worse and worse, set up Kings again, and revolted secretly to the Persian. Justinian smelling it out, commanded *Bessas* to march against them, who sent a choice Party of his Army under *Vligangus* and *John Guzes*, by which their chiefest Fort was taken, and after much slaughter they were reduced to obedience; as also were the *Apfilians*, who having been anciently subject to the *Lazians*, had also of late revolted. Whilst the Affairs of *Chofroes* succeeded not very well in *Lazica*, they were in a worse condition at home, by means of his eldest Son *Anasozadus* (which in the Persian Language signified *Immortal*) who made no scruple to lie with his Father's Wives; and afterwards, being confined to *Lapato*, a City seven days journey from *Ctesphoon*, upon report of his Father's death, usurped; and though his Father recovered, put the City into a Revolt, and eagerly pursued the War. Indeed *Chofroes* was dangerously sick, being ever of a fickle constitution, which made him keep Physicians by him of all Countries, and amongst others, one *Tribunus of Palestine*, a man inferior to none of his time, and besides that, both a wife, and a very good and conscientious man. He had cured the King formerly, and came loaded home with Presents; again at the *Quinquennial* Cessation, the Persian begged of Justinian that he might have him with him for one year, which being ended, *Chofroes* had him ask whatsoever he would, whereupon instead of Wealth he asked the liberty of some Roman Captives. He got free'd three thousand men, besides some of quality, whom he demanded by name; and by this Act of Generosity obtained a great Reputation amongst all sorts of People. But *Chofroes* sent those who overthrew his Son in battle, and taking him Prisoner, brought him to his Presence. He to prevent any farther effects of his Ambition, blinched the young Man's Eyes, not by taking away the sight, but by distorting the Eye-lids into much ugliness, with hot Irons applied to their outfides, being shut. Hereby he cut off his hopes to the Kingdom, the Law not permitting any blinched man to be King of *Persia*.

198. Now was the fifth year of the *Quinquennial* Cessation expired, of which Justinian being aware, sent to *Chofroes* to conclude an absolute and lasting Peace for the East. *Chofroes* put him off, saying he would send some of his own to *Constantinople* to do it; and he sent indeed *Isdigunas*, that insolent and impudent Persian, concerning whom it's hard to say, whether he was more ridiculous for his pride and humour, or the Emperor for the unfitting and extravagant honours he heaped upon him. As for *Badicrus* his Interpreter he came not now with him, and some said his King had put him to death for presuming to sit at Table with Justinian, who, he concluded, would not have admitted an Interpreter to such an honour upon any account below the betraying of his Master's business. But *Isdigunas* coming to his Audience, said not one word of Peace, but complained that *Aretbas*, and other *Saracen* Confederates of the Empire, had, during the Cessation, committed spoils upon *Alamundarus*, with other frivolous things, and of small importance. In the mean time *Bessas* sits down before *Petra* with his whole Army, where the Garrison had so plied their business, that after the Retreat of *Dagisthaeus*, by stones and beams of wood, they had made a pretty good foundation where the Wall was formerly ruined,

ruined, so that the Assaults found great difficulty to assault the Town, because they could no more Mine, neither could they bring the Ram to the Wall, the Place being steep, and the Ram not to be drawn but on even ground. In this trait, when they saw the Romans despairing, three Princes of the *Sabirian Humes*, who being sent to receive the Pension paid them by the Emperor, were now at the Siege, devised such an Engine, as never formerly had been thought of by either Persians or Romans, though they had excellent Artificers. Time ever proceeding with the wit of Man to new Inventions.

A new sort of Ram.

199. In forming this new sort of Ram they used no Timbers upright, nor lying across, but instead of them small Poles tied and fitted together. Yet had it the perfect form of an ordinary Ram; and in the midst was placed the usual Beam, with a top headed with Iron to batter the Walls. The whole Engine was covered with Hides, and was so light, that it needed neither Men nor Cattle to draw it, only forty Souldiers within it, and covered with the Hides, carried it with ease upon their Shoulders, wound up the Ram, and let it fall against the Walls. On either side stood men well armed with long Poles in their hands, topt with great Iron hooks to pull off the stones which were loosened and unjointed by the strokes of the Engine. The Romans, in making trial of this new device, did great execution, and the Town was at the point of being taken, when the Persians from a wooden Tower, provided beforehand, cast down Vessels upon their heads full of Sulphur, Babylonian Pitch and Naptha, a Drug used by the Persians, which the Greeks called *Medean Oil*. These Vessels failed little of burning the Rams, which were only preferred by the men with the long Poles, who cleared still the fire away, but long they could not be able to do it, the flame raging so vehemently, that where it toucht, it instantly took, if not as speedily put out. *Bessas* therefore caused Scaling-ladders to be set to a certain part of the Wall, which by Mining was sunk, but stood upright as if it had been set with an Engine; and using the best sort of exhortation, which was the example of his own valour, being an old man past seventy years of age, first mounted the Ladder. Never was a Fight more valiantly fought on both sides, the Persians being two thousand three hundred men, and the Roman Army about six thousand. *Bessas* himself fell from the Ladder, whereat was made a great shout by the Persians, who from all parts shot at him; but he was protected by the Targets of his Lancers, that by his order dragged him away by the heels (that so they might best cover him) till coming out of shot into a safe place, up he rose, encouraged his men, and gave on again, mounting the Ladder the second time. The Romans following him, and doing very valiantly, the Persians demanded time to quit the place; but he suspecting it was craftily propounded to fortify the Wall, refused to stop the Fight, but offered to treat at another part of the Wall, while the Armies fought. The motion being not entertained, the Fight was hotly pursued with equal success, untill the arrival of several ill Accidents on the Persian Part.

200. First another part of the Wall, where the Romans had formerly Mined, suddenly fell down. This necessarily divided the Persians, and their fewness so much appeared by the division, that they did not equally endure the charge. Then did *John Guzes* with some Armenians his Countreymen, while the Armies were here engaged, mount the Rock where the City was thought impregnable, and by killing one of the noblest Persians, made the Place accessible. And in the mean time, those that from the wooden Tower cast the fire upon the Roman Rams, were themselves ruined by the force of a strong Southern wind which kindled one of the Boards of the Tower, and they within being overtoiled and full of tumult and disorder, perceived not the Accident, till the flame kindling by degrees with the Naptha and other ingredients burnt all the Tower and the miserable Persians in it, who consumed to coals fell down, some within the Town, some among the Roman Engines. At the ruined Wall by this time the Persians gave back, and now *Petra* was absolutely taken; only five hundred Persians retired to the Cittadel, the rest were taken alive, being seven hundred and thirty men, of whom eighteen only were unhurt. To the Romans it proved a bloody Victory, many gallant men having lost their lives, amongst whom *John Guzes* was killed with a stone whilst he was valiantly entering. The next day those in the Cittadel would neither with all the Rhetorick *Bessas* could use, nor the terror of burning be persuaded to yield, but all perished in flames together with the Fort. By this placing of his best men in the Town, *Chofroes* sufficiently declared how much a value he had for *Petra*: As also by the provisions he made of Arms and Victuals. For the Romans found five mens furniture for every Souldier, besides what was burnt; and so much Corn and other salted Meats as would serve for a Siege of five years. The Prisoners *Bessas* sent to the Emperor, and cast down the

Petra retaken by *Bessas*.

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Walls of *Petra*, that no more trouble might arise from it, which *Justinian* much approved, and commended him both for his Valour and good Conduct. After his ill fortune, or rather, his ill administration at *Rome*, and an apparent ruine of the *Roman* Interest, yet at his return to *Constantinople*, the Emperour made him General against the *Persians*, to the wonder and derision of the World, which flouted *Justinian's* Resolution herein, in committing the *Persian* War to an old man who had had one foot long in the grave, and been lately so grossly beaten by the *Goths* in *Italy*. Yet notwithstanding did *Bellus* shew that valour, and found the good fortune we have now mentioned. So are humane Affairs determined, (saith *Procopius*) not as men imagine, but as God himself swayeth the Balance. And this they call Fortune, finding matters succeed in a way and Method by them not discerned, and as attributing a Name of Fortune to things which are above their own reach and Reason.

His Avarice
spoils all again.

201. *Bellus*, as appears from this Action at *Petra*, wanted not Courage nor Conduct; neither yet was he void of a fault familiar to old Men, and that vice which the continual prospect of the Grave can hardly mortifie. This was his Avarice, by which formerly he had lost *Rome*, and whereby he again ruined that Interest, which of late he had so notably advanced. For if after his victory he had made haste to fortifie the Passages from *Iberia* to *Lazica*, the *Persians* had not entered this Country, but he retired into *Pontus* and *Armenia* his Government, intending to toil himself no more, but get what he could by his place, and so as good as delivered *Lazica* to the Enemy by his neglect and carelessness of the Emperour's Indignation, who indeed was wont to connive much at the errors of his chief Ministers, whence followed many great faults, both in the courses of their Lives, and of their Governments. *Mermeroes* in the mean time, afraid of *Petra*, as soon as the season of the year would permit, was on his way with an Army thither, but hearing what had happened, he staid his Journey, and passing over the *Phasis*, because the *Lazians* had no Towns but *Petra* on that side the River, he led on toward *Archæopolis*, the chief City of the Country. *Bellus* had left in *Lazica* Twelve thousand men, whereof Three thousand lay in *Archæopolis*, with *Odonachus* and *Babas*, two expert Commanders; the rest incamped near the *Phasis*, with intention to succour any place where the Enemy should fall, and were commanded by *Bonilus* and *Uliganus*; beside, Eight hundred *Texians* were brought thither out of *Italy* by *Varazes* the *Perfermenian*. *Mermeroes* therefore for fear the *Roman* Army at his back, which quartered upon the *Phasis*, would not fit down before *Archæopolis*, went toward them first; which the Commanders hearing, and finding themselves too weak, got them aboard their Barks, and having carried with them what Baggage they could, cast the rest into the River. *Mermeroes* arriving shortly after, was much out of humour, to find never a man in the *Roman* Camp, which having burnt in much wrath, he returned to *Archæopolis*, and set all his wits on work how to assault the City.

202. He made use of the same Ram which the *Sabirian* *Hunnes* had invented for *Bellus* at *Petra*, having many of this mercenary Nation now in his Army. This was for the plain ground; and against the rocky part of the City he set the *Dolomites*, a People dwelling in the midst of *Persia*, among unaccessible Mountains, and therefore not subject to the *Persian*, but free; only in his Wars they were wont to serve him for Wages, being all Foot-men, with Sword and Buckler, and two Javelins, and as nimble to climb Rocks, and run along by the sides of Mountains as on the plain ground it self. By the Rams on one side to which *Mermeroes* joined his Elephants, (which he used as Towers to shoot on) and these *Dolomites* on the other, the besieged were fore distressed in making good the Walls. *Odonachus* and *Babas* in their extremity advised them to make a Sally, as the only possible means of freeing themselves, for though they might one day have the better from the Battlements, they should gain nothing, the danger being renewed as fresh as ever the day following, and so they must perish by little and little, and loose at last what they had defended to small purpose. *Mermeroes* before this had hired a certain Townsman to set the City Stores on fire, of which they had an inkling, and therefore left a sufficient number in the Town, to prevent this mischief, in case it should be attempted. And the man did indeed set fire to the Stores, but it was timely quenched, without much damage; and those who sallied terrified the Enemy by the suddenness of the Enterprize, who suspected no such matter from so few Defendants, but were all in disorder, and scattered about as upon an Assault, some having the Rams upon their shoulders, and without their Arms.

203. Here

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How to fright an
Elephant.

203. Here *Procopius* makes it a matter of wonder, that the *Romans* knowing so well the means of resisting, and rendering Elephants useless, did not at all apply themselves to that course, being confounded it seems by their urgent business; the thing was this. When *Chosroes* besieged *Edessa*, an Elephant was brought close to the Walls, with many of the most gallant *Persians* upon him, where standing like a Tower, and the shot being made directly from him upon the Defendants heads, the taking of the Town was certainly expected. But the *Romans* avoided the danger, only by hanging out an Hog from the Bulwark, which with his squeaking noise so scared the Elephant, that he turned about, and would not be kept to his Station, by all the skill his Governours could use. This was now omitted by them, but the best of it was, their good fortune supplied their forgetfulness or negligence, for one of those Elephants now employed, either wounded or otherwise starting, flew back, cast his Riders, brake the Ranks, and drove the *Persians* backward, while the *Romans* securely cut down all in their way. The *Persians* were by those means so disordered, that they in the Rere, seeing the confusion of those in the Van, ran away for fear. Nay the *Dolomites*, who being upon high ground saw all, ran away as shamefully as the rest, and the Overthrow was now clear, four thousand of *Mermeroes* his men being killed, with three principal Officers, and four Ensigns taken which were sent to *Constantinople*. And two thousand Horses they lost, either slain in the Battel, starved or heart-broken. *Mermeroes* being thus Defeated at *Archæopolis*, however continued Master of the Field, and led his Army a days Journey off into the Province *Muchirifis* a plentiful Countrey, with intention to re-edify an old City or Castle called *Cotæsis*, or *Cotæsum*, moreover to cut off Provisions from *Urbimerium*, a strong Fort guarded by *Lazians*, with some *Roman* Souldiers intermingled, and to hinder their march into the Countries of *Suania* and *Symnia*, subject to the *Persians*; an Army in *Muchirifis* stopping easily the passage into these Countries. Such were the Successes of the Armies in *Lazica*.

Mermeroes de-
fenced.
Yet is Master
of the Field.

Justinian pur-
cheth another
Cessation for
five years,

To the great
trouble of the
People.

204. In the mean time *Isidignus* the *Persian* Ambassadour, had many Conferences with the Emperour at *Constantinople*, concerning a Peace. After a long time spent in disputes, at last they came to this Agreement. That in the Empire, and proper Dominions of *Persia*, there should be a Cessation of Arms for five years, during which, endeavours on both sides should be used to compose the Differences, concerning *Lazica* and the *Saracens*. That for this Cessation, the *Romans* should pay to the *Persians* twenty Centenaries of Gold, besides six Centenaries more for the eighteen Months, passed betwixt the end of the *Quinquennial* Cessation, and their sending Ambassadours to each other; the *Persians* pleading that upon that Condition, they yielded to a conference about a Truce. The Emperour would have paid them by four Centenaries every year, and given caution for so doing; but *Isidignus* insisted upon present payment, and in the end, he prevailed to have the whole Sum paid down, the *Romans* yielding to it, that they might not seem to pay a yearly Tribute to the Crown of *Persia*. Thus are men more sensible of the dishonour of Names than Things. But at the desire of *Isidignus* also, who promised to persuade his Master to remove his Army out of *Lazica*, one *Barfabas*, a *Persian* of great Quality, and as great a favorite of *Chosroes*, who had offered for him a great Ranfome, having been taken Prisoner in *Armenia*, was sent to *Constantinople*. Thus was the Cessation concluded, to the great discontent of the understanding *Romans*, who complained that the *Persians* being now strong in *Lazica*, might securely and without interruption for five years to come, hold the fairest places of the Country; and that they were never after to be driven out, but might have easie access to *Constantinople* it self. Most men indeed were troubled to see that which the *Persians* ever aimed at, but which by War they could never effect, viz. to make the *Romans* tributary; now fully Established under colour of a Cessation of Arms; for upon this specious pretence, *Chosroes* did really impose a Tribute of four annual Centenaries, until his forty six Centenaries were paid, calling his Tax a Truce, and shewing most manifestly, that he plotted it from the beginning of the War. And the worst of it was, from this Taxation they could never hope to be freed, but saw themselves constrained to remain in quality of Tributaries to the *Persian*.

205. So well succeeded the Embassy of *Isidignus* in his Master's behalf, who having received high honours from the Emperour, together with vast Presents than ever Ambassadour before him, returned home probably the richest man in *Persia*. This was the only Ambassadour that had no Guard put upon him, he himself and his followers freely conferring and keeping company with whom they pleased;

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A year of wonders.

pleased; and in the City buying, selling, and making contracts in their own Persons with all liberty, no Roman attending them to observe their doings, as in those times was wont to be. But this was a year of strange Accidents, there being such Heats at this time, as none ever could remember the like; Rofes towards the Winter growing in abundance as in the Spring, with no manner of difference, and the weather as hot as at Midsummer; besides the Vintage being long past, new Grapes came as they had done before. Much talk hence there arose, as is wont in such cases, of strange things betokened, and likely to succeed; but the natural cause of this temper of the Air, was the continuance of the Southerly winds longer than ordinary. This Cessation was concluded, and these Heats happened in the twenty fifth year of Justinian's Reign, the seventeenth year of the Gothick War. A. D. DLI.

206. Now we must behold the fruit of the Cessation, and consider the veracity of Chosroes, as also how true Prophets the understanding sort of Romans were in their predictions concerning the Issue. During the Negotiation then at Constantinople, King Gubazes in Lazica affected the Romans, because he found Chosroes to plot his Death; but the generality of his People now again inclined toward the Persians, offended with the oppressions of the other, and the Infidelity of the Roman Officers, of two ills chusing that which they did not at present feel, not for any love to the Persian Government. The Romans lay concealed, some near the Phasis, others in Archæopolis, and others in Fortresses, and Gubazes lay quiet upon the tops of the Mountains, so that the Persians visited all the Towns at their pleasure, and the Garrison of Orbimerium frightened with false tales, concerning a total Defeat both of Gubazes and the Roman Army, yielded the Castle on condition to have their Lives and Goods secured. By this means the Persians became Masters of the Country, and held Scymnia and Suania, so that all places from Muchirists to Iberia, were inaccessible to their Enemies, who durst not appear abroad nor stir, the Romans from their Fortresses, nor Gubazes with his Lazians from off the Mountains. Mermereos plied his business, reinforcing several Garrisons, and he marcht toward the Phasis, where he understood that the Romans and Lazians had incamped and newly made head; but at the first news of his coming, they all separated and fled; Gubazes betaking himself to the Mountains with his Wife and Children, whence notwithstanding the extremity of Poverty and hard weather, he would not be drawn down by all the good words and fair promises Mermereos could give and make him. For so strong was his hatred and aversion to Chosroes, that it suffered him not to despair of succours from Constantinople, the Judgments of men being generally biased by their wills and affections. The Winter being now ended, Idigunus arrived at the Persian Court, where Chosroes signed the Treaty, and received the money, but with intentions so cordial to the drift of Justinian, that with the same Treasure he levied a great Army of Hunnes, and sent them to Mermereos, resolving what ever he did, not to quit Lazica. With these Forces Mermereos coasted about the Country, and the Romans opposed him not, lying quiet in their Fortifications, about the mouth of Phasis in Company of Gubazes. Having without success attempted several Garrisons, he retired with his Army, which then the Romans followed in the fast Country, intercepted many, and killed the chief Commander of the Sabirian Hunnes. But fighting about the dead body, the Persians forced away the Enemy, and retired to Cotafis the Fort of Muchirists formerly mentioned.

207. So went the Emperor's affairs in the East, rather backward than otherwise. In the South all things were in a fair Condition, by the incredible successes of John the General in Africk, who first drew to his Party Cutzinas a Prince of Numidia, then overthrew all the other Numidians in Battel, and soon after brought Antalas and Tabbas Princes of the Moors, inhabiting Byzacium and Numidia, to follow him in no better Quality than that of Slaves. Thus in this Province Justinian had no Enemies, and indeed not many Subjects, whom the former Wars and disorders had miserably wasted. And that Fortune might seem now and then, to cast a grateful aspect upon the Empire in her extreme and decrepit old Age, amid all her frowns, another thing happened about this time, which tended much to the enrichment of the Provinces. Certain Monks coming out of India, and getting Access to the Emperor, promised him to effect what he had long desired, that the Romans should not need to buy any more Raw Silk of the Persians, or any other Nation. For having lived long in a Country called Serindia, which contained many sorts of Indians, they had learnt the way how the same might be had in his own Dominions. Justinian being very curious, and inquisitive to know how, they told him, that certain Worms taught by Nature, did spin this Silk, which Worms to bring

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bring alive was not possible, but ease to get their Bags, wherein were innumerable Eggs, which being covered in Dung, and thereby heated, produced the Worms. The Emperor promised them great Rewards, to bring their undertaking to effect, and they returning to Serinda, brought those Eggs to Constantinople, where being by the means aforesaid grown to Worms, they fed them with Mulberry-leaves, and so brought the making of Raw Silk into the Roman Territories.

Silk Worms brought into the Empire.

208. In Europe in the mean time, the Gepide, who, as we formerly said, made a Truce with the Lombards, not composing thereby their differences, resolved to renew the War, which grew as hot as ever, the Gepide being led by Thorisfin, and the Lombards headed by Auduin. Their Armies coming near each other, were both seized with such a pannick fear, that as well the one as the other ran away, leaving their Commanders with some few behind, who neither with fair words, nor threats could stop their running. Auduin not knowing the Enemy was in the same condition, sent Ambassadors to demand a Truce, who finding Thorisfin deal truly with them, freely also told him how the Lombards were run away, and perswaded him, since God, as they said, had cast upon both Nations that saving fear, to concur with that gracious dispensation, and make an end of the War. A Cessation was accordingly concluded for two years, during which term, they were to send their Ambassadors mutually to compose all differences; yet not being able to end their Debates, they fell again to their old course of Hostility. Now the Gepide fearing the Romans would joyn with the Lombards, procured twelve thousand men from the Uturgurian Hunnes, inhabiting on this side the Lake of Meotis; whom, for that one year of the Cessation was yet to come, and having no occasion for such a Multitude, they perswaded in the interim to invade the Romans, who kept no exact Guards upon the Danube, either on the Coasts of Illyrium or Thrace. Hereupon the Emperor sent to the Uturgurian Hunnes, planted beyond the Lake of Meotis, and by money won them to invade the Country of the Uturgurians, whom, having passed the Tanais, assailed by two thousand Tetraxite Goths dwelling near them, they routed in a Battel long fought, and having killed many, took their Wives and Children Captives, and returned home. During the Contest betwixt them, some thousands of Romans took the opportunity, and slipping away, recovered their Native Seats. And such Uturgurians as had before invaded the Emperor's Territories, were perswaded for money to retire, and if they could continue in their Country, to remain faithful to the Roman interest, otherwise to come back, and have Towns assigned them in Thrace, where living as Confederates, they should protect the Roman Provinces from all Barbarians whatsoever. Of them already two thousand, after the Overthrow received from the Uturgurians, came into the Roman Dominions, and becoming Servants to the Emperor, were seated in Thrace, which Sandik King of the Uturgurians understanding, grew very angry, and sent a Message to the Emperor by word of mouth, (for the Hunnes knew no Letters nor Grammar, nor bred their Children to Learning,) wherein he compared the Uturgurian Hunnes to Wolves, which would never be tamed, and upbraided him both with folly, for nourishing them amongst his Sheep, and with ingratitude toward his Subjects the Uturgurians, whom he likened to Shepherds Dogs, for their Service and fidelity. But Justinianfoothed the Ambassadors with good words, presented them richly and sent them home.

Justinian sets the sort of Hunnes against moech.

209. From these Hunnes, its time now to return to the other sort, which we said put a stop to the Voyage of Narfes into Italy, and forced him to stay at Philippopolis. They having driven and carried all away without opposition, and being gone some towards Thessalonica, and some toward Constantinople; he marcht on, having hardly disengaged himself from them. Totilas in the mean time had burnt most part of Rome, especially beyond the Tiber; but now expecting the coming of Narfes, placed some of those Senators in the City, who had been formerly confined to Campania, with other Romans, Commanding them to Guard it, and professing to repent for what he had lately done unto it. Yet were those men in a condition, little better than that of Slaves, being stript of all they had, and so unable to vindicate the publick Interest, that they could not recover every man his peculiar right, although the Romans, in the judgment of Procopius, were the best Patriots in the World, studying to regain from all parts, what belonged to their City, and to save all the ancient Ornaments of Rome from perishing. During so long a subjection to Barbarians, (so he writes,) how did they preserve their public Buildings and Ornaments! Even the Original Ornaments of their Race do yet continue, the sufficiency of those ancient Workmen holding out against the Ruines of time, and the negligence of men; and then he instanteth in the Ship of Aeneas, which

Tetraxite, Thracian-Sitten, sub Inducis sedentes, quod nomen græcæ vocat, hæcque reddidit, aditque Syllaci, ut multa alia, Exscriptor aliquis. Gothica Gent quæque emans ad Pontum Excursu. Sic diu ab Uturguribus, Gothis.

Totilas burnt most of Rome.

Things go well in Africk.

Sect. I.

His Fleet at Sea
doeth harme to
the Romans.

which to his time remained so uncorrupted, (for he saw it himself) as if it had been but very lately built. But (not to follow our Authour in his Digressions out of the Road,) *Totilas* also manned three hundred Gallies with *Goths*, Commanding them to pillage and spoil the Coasts of *Greece*. Yet they hurt nothing till they came to *Coryra*, the only inhabited Island in the passage from the Straits to *Syella*, which they foraged together with the Islands adjacent called *Sybotæ*. They landed also in *Epirus*, and pillaged the Towns about *Dodona*, especially *Nicopolis*, and *Anchialus*, where *Anchises* Father to *Aeneas* Died, and gave Name to the Town. They took also upon the Coast many Greek Ships, and amongst them some Transporting Provisions to *Narjes* his Army.

The Romans
beat the *Goths*
at Sea.

210. In *Italy* *Totilas* caused *Ancona* to be blocked up both by Sea and Land. *Valerianus* was then at *Ravenna*, but being unable to relieve it, he wrote to *John* as yet lying in *Salona*, acquainting him how this Town which only remained to them of all that part of *Italy*, lying upon the *Ionian* Gulf, was traitly besieged, and likely to be lost, if he would not come speedily, and joyn the Forces with him for its Assistance. The Emperour had forbidden *John* to stir, yet conceiving that Necessity must dispense with his Instructions, he adventured to go, and with his best men Shipt in forty Vessels, appeared before *Ancona*, whither *Valerianus* came shortly up to him with twelve Ships. The Commanders of the *Goths* Manned our forty seven of their choicest they had against them, leaving the rest to block up the Castle, and to a Sea Fight they came, which was stoutly Fought, and much like to a Land Battel; they standing with all their Ships in Front against one another, and plying their Bows. But the unexperience of the *Goths* in Sea Fights, and their disorder undid them, their Ships jumbling like so many Baskets together, so that they could neither shoot at the Enemy, nor manage any Weapon, being perpetually employed in getting clear of one another, and spending all their Shouts and Cries not upon the *Romans*, but their own men, to keep off. The *Romans* on the other side behaved themselves both Valiantly and Skillfully, making use of the advantage which the folly of their Enemies presented; so that they took and sunk all with the men in them, except eleven Ships which got away, and were fet on Fire after the men were Landed, lest they should come into their Hands. Such as escaped in them going on foot to *Ancona*, and relating there the Accident, the Siege was raised, and the Camp left to the *Romans*, who having put Provisions into the Castle, sailed away; *Valerianus* to *Ravenna*, and *John* to *Salona*. This Defeat much abated the power and interest of *Totilas*, whose affairs went to wrack in *Sicily*, where *Artabanus* having succeeded *Liberius*, took all the Castles from the few *Goths* lying in the Island. The Hearts of the *Goths* were so dejected with these Losses, that should any Succours come to the *Romans*, they had no thought of sub-sisting, or keeping one foot in *Italy*. And from the Emperour they had no hope to obtain any thing, for *Totilas* had sent to him many Ambassadors, shewing how the *Franks* had seized on a great part of *Italy*, and the rest was become waste and void. He offered that the *Goths* should quit to him *Sicily* and *Dalmatia*, which one-ly remained unspoiled, and should pay Tribute for the wasted Lands in *Italy*, and serving his Majesty against all the World, in all other things also be obedient to him. But *Justinian* would take no notice of these Overtures, but still sent away the Ambassadors being distast at the very name of a *Goth*, and purposing to hurry them all out of the Roman Empire.

The *Goths* de-
jected.

Justinian will
give them no
terms.

211. In reference to what *Totilas* said concerning the *Franks*, the Reader must understand that *Theodebert* their King who lately Died, had unjustly made Tributary some Towns in *Liguria* and the Cottian *Alpes*, together with a great part of *Venetia*; he thus getting without blows, what the two angry Antagonists were, busily Fighting for. Indeed in *Venetia* the *Goths* had little, the Sea Towns were in the hands of the *Romans*, and the *Franks* seized on the rest, while neither *Goths* nor *Romans* had leisure to look behind them. The *Goths* thought it sufficient to agree with them, that during the War with the Emperour, both should hold what they had, and forbear Hostility, and in case *Totilas* should become Conquerour, then the Acquisitions of the *Franks* were to be disposed, as should be agreed on among the Parties. But to *Theodebert* had succeeded *Theudibald* his Son, to whom *Justinian* sent an Ambassadour, to demand the Towns unjustly seized in *Italy* during a Truce, and to persuade him to a League against *Totilas*. As to the latter he put him off, with a modest refusal, telling him, that should he prove false to the *Goths*, no Friend should ever have reason to trust him; and as to the former, he denied that his Father had been an Oppressor of his Neighbours, or an Intruder, but in case it should appear he had taken them unjustly from the *Romans*, and not rather

Sect. I.

The *Slavi* in-
vade *Illyricum*.

ther outed *Totilas* of his unjust possession, he would refer the matter to Arbitration, and send himself Ambassadors to *Constantinople*, which he did, and they effected what they went about. *Totilas* in the mean time, being ambitious to get the Islands belonging to *Africk*, into his hands, sent an Army to *Corfica* and *Sardinia*, and made them tributary to him. A mighty Company of *Slavi* at the same time fell upon *Illyricum*, and doing mischiefs not to be exprest, went home with innumerable Prisoners, and all their Booty, none encountering them. The *Gepidae* transported them over the *Danube*, having for every head a Golden Stater, as their fare. This troubling the Emperour, who hereby had no means to hinder their passage over that River, he made a League with the *Gepidae*; but they notwithstanding still transporting the *Slavi* over the *Danube*, he sent an Army to the Assistance of the *Lombards* their Enemies, who invading them with so great a Force, overthrew them in Battel, and made great slaughter of them.

General *Narjes*
draws near *Italy*,
gallantly provi-
ded.

And attended.

212. Great Earthquakes happened in those days, in several parts of *Greece*, about the Gulf of *Criseum*, overthrowing many Cities, as *Charonea*, *Corone*, *Patra* and *Naupactus*, and many men perished. In *Italy*, *Crutone* was traitly besieged by the *Goths*, and wanting Necessaries, sent to *Artabanus* in *Sicily* for relief, protesting that if none speedily came, they must be forced to Surrender the Town; yet none came, and so ended the Winter, together with the seventeenth year of the War. But in Spring, the Emperour Commanded *Crutone* to be relieved by the Garrison of *Thermopylae* in *Greece*, which Sailing for *Italy*, the *Goths* upon sight of the Ships, ran away from the Siege and were dejected; inasmuch that two of their principal Commanders began to capitulate for the rendition of the Towns under their Government. And now at length, *Narjes* began to draw near *Italy*, with a very gallant Army, as well he might, having received very much Treasure from the Emperour, to leavy and furnish the same. And what was of more Consequence, he brought wherewith to pay the Soldiers in *Italy* their Arrears, which were very great, and had been due for many years together: Nay he was furnished with money to invite the Revolted, to return again from the *Goths* to their ancient Obedience. The great and effectual Engin which moved all, was the Emperour's Resolution, who in the beginning managed the War very coldly and carelessly, but now set himself with all earnestness and sincerity to the Work. And *Narjes* was to be commended for making use of his present temper, who seeing him very eager, that he should lead the Army into *Italy*, protested plainly he would not therein obey his Commanders, unless he might have competent Forces; by which stoutness he procured men and money, with Provisions of Arms and other Necessaries, all befitting the Roman Empire. Now might he cheerfully set about his business, and had credit enough to raise Forces, and obtain Auxiliaries out of all Places. And many gallant and eminent Persons, willingly accompanied him in the expedition. *John* waited on him, both with his own Troops, and those left him by *Germanus* his Father-in-Law. *Dagisthaeus* also accompanied him with his Troops, being discharged of his Imprisonment for this purpose. *Cabades* the Son of *Zames*, and Grandchild of King *Cabades*, (who having by the practice of *Chazaranges*, escaped his Uncle *Chosroes* his cruelty, long agoe came into the Emperour's Dominions,) followed him in the expedition with many Persian Fugitives. Besides these *Abades* a young *Gepida* and very Valiant, with four hundred of his Nation all good Soldiers; *Aruth* an *Herulian*, accompanied him with many old Soldiers of the *Herulians*; and *John Phagas* commanding many Roman Volunteers, well practised in War. Moreover *Anduin* Prince of the *Lombards*, by virtue of the League, and for a good Sum of money given him by the Emperour, sent him five and twenty hundred select men, accompanied with a retinue of above three thousand others. He had three thousand *Herulians*, commanded by *Philimuth* and others, besides many *Hunnes*; but his chieffest levies were out of the Constantinopolitan Guards, the Garrisons of *Thrace*, and the Countrey of *Illyrium*. The truth was, *Narjes* was very obliging, especially to the Barbarians, and to this his great Power with the Emperour being added, as well Commanders, as common Soldiers, were eager to serve under him; both in acknowledgment of former favours, and in expectation of great advancements in time to come.

The *Franks* de-
by him passage
through *Venetia*.

213. Being arrived at the Confines of *Venetia*, he sent to those that commanded the *Franks*, demanding passage for himself and followers, as for Friends, to which they returned a denial, protesting they would hinder him, both in respect to the interest of *Franks* and *Goths*, and farther pretending a frivolous excuse, as that he had *Lombards* in his Army, their greatest Enemies. Yet he was told by some *Italians*, that had the *Franks* given him passage, he could not possibly have gone farther

Sect. 1. ther than *Verona*. For in this City *Totilas* had placed *Teias* a most Valiant man, with a choice number of *Goths*, who by his order had stopt up all the Passages with Works, and with much art and labour, had made in some places Thickets, in others Ditches, deep holes and bogs, and drowned the Grounds, being ready to fight the *Romans*, in case they should force their way. *Totilas* did this, upon consideration that *Narfes* could hardly be able to pass along the Sea Coast, by so many great mouths of Rivers, having not Ships enough to transport his Army over the Gulf at once, and he imagined that coming but in small parties, he might easily hinder their Landing. But *John* who knew those Parts exactly, advised him notwithstanding to march by the Sea shore, the People there being the Emperor's Subjects, and to be attended with some Ships and many Boats, with which Boats, they might make Bridges over the Currents of the Rivers. He followed his advice, and got to *Ravenna* with his whole Army, where *Valerianus* and *Justinus* the Generals, with the remainder of the *Roman* Forces joyned with them.

Yet he gets to Ravenna.

Udrilas the Goth slain.

214. After nine or ten days stay, he left *Justinus* Governour of *Ravenna*, and began his march. At *Ariminum* being to pass the River, and searching diligently for a passage, *Udrilas* the Governour of the *Gothick* Garrison there, sallied with some of his best men, thinking to surprize and kill him in that posture. But some *Heralds* by mere accident encountered and killed him, and a *Roman* knowing him, brought his Head to *Narfes*, which filled the *Romans* with much Courage, taking it as a sign of God's favour and a good Omen, that the Enemy having a design upon their General, should so suddenly loose their own Commander without any humane Plot or forecath. Though he might have had encouragement upon the Death of *Udrilas*, yet he meddled not with *Ariminum*, nor with any other Town, that he might not retard his main design, nor divert it by any other business. And the Enemy discouraged at the loss of their Governour, gave him no impediment in making a Bridge and passing the River, which having done, he left the *Via Flaminia*, and took the left hand, that huge Street being unpassable, by reason that the *Goths* had seized on the Rock called *Petra Pertusa*, and all other places lying upon it. *Totilas* in the mean time, hearing what had passed in *Venetia*, expected *Teias* and the Army about *Rome*, which being all come up, except two thousand *Horses*, he marcht away with the rest, intending to fight the *Romans* at his best convenience. Understanding how matters stood at *Ariminum*, he went through *Tuscany* toward the *Appennine*, where he incamped in a Village called *Tagiria*; And afterward came *Narfes* and sat down upon the *Appennine* also, at twelve miles and an half distance near the little round Hills, wherein the *Galls* slain by *Camillus* were buried, and at that day called *Busta Gallorum*.

Narfes sends to *Totilas*.

Totilas will have War.

215. *Narfes* presently sent to *Totilas*, to advise him to entertain peaceable Councils, and not contend, because he was backed by a few lawless men, with the strength of the whole *Roman* Empire; And in case he was resolved for War, he instructed the Messengers to bid him appoint a day for a pitched Battel. He with a resolute and daring Countenance, told them they should have War, and that eight days after he would not fail to meet them. But *Narfes* suspecting some cunning in the answer, prepared to fight as the next day, and he was in the right; for the day following, *Totilas* came with his whole Army. Both had a mind to gain a little Hill for an advantage of upper ground, and *Narfes* by Night sent fifty men, who seized it without opposition. Against them *Totilas* sent a Troop of *Horses*, but standing thick and firm, they frightened the *Horses* with the noise of their Shields and with their Lances; the men who failed often in the attempt, at length gave it over, and *Totilas* sent several Troops afterward, who came off with the same disgrace, so that he gave over the enterprize, and those fifty men deservedly got great reputation, especially one *Paul* who indeed did wonders, and for this Service was made one of *Narfes* his Targetiers. In the mean time both Armies prepared for Battel, and the Generals bespake the courage and fidelity of their Souldiers, using arguments fitted to the occasion. The *Lombards*, *Heralds* and other Barbarians, *Narfes* caused to alight and serve as Footmen, that in case they should turn Cowards, they might fly but slowly. And his left wing he cast into the form of a Wedge, setting there fifteen hundred *Horsemen*, whereof five hundred were to relieve their Friends, in case they were put to the worst, and the other thousand get the backs of the Enemies Foot, and gall them in the fight. In like manner *Totilas* placed his Army, and rode about with Countenance and words animating his Souldiers. *Narfes* did the like, holding out to them gilt Chains and Bridles, as the Prizes of their Valour.

216. Both Armies stood still a while, expecting the Assault of their Enemies, till one *Cocas* a *Goth* of good repute for Valour, rode up to the *Roman* Army, and challenged any to fight with him, having formerly served the Emperor, but since revolted to *Totilas*. But *Arzalas* an *Armenian*, and *Lancier* to *Narfes*, encountered and slew him, at which the *Romans* made a great shout. Now by this time *Totilas* understood that his two thousand *Horses* were at hand, and therefore laboured all ways possible to defer the Fight. He came in his bright Armour, and very goodly to behold, on a prancing *Horse*, betwixt the two Armies, not to challenge any to a Duel, but by several postures and feats of Activity, to attract the eyes of Gazers, and behaved himself like a cunning and skillfull Rider of a managed *Horse*. In these Exercises he spent a great part of the Afternoon, then to gain more time, sent to *Narfes* and offered a Parley. *Narfes* said he jugged; and before the meeting was agreed on, came the two thousand *Horses*, which when *Totilas* understood, and it being now Dinner time, he caused the Army to draw off, and going to his Tent commanded his men to Dine, then he put on other Armour, and suddenly led out against the Enemy, thinking by so unexpected an Onset to surprize them. But *Narfes* was aware of his design, and forbade his Troops to retire to Dinner, to repose themselves, or so much as to put off their Corselets, or unbride their *Horses*. Commanding them to take a bit as they stood in their Ranks, and have a watchfull eye upon the Enemy. They accordingly stood still in the same order, only the General with an addition of four thousand Foot, put both his Wings into the form of an half Moon. The Infantry of the *Goths* stood behind their *Horses*, to receive them if routed within their Ranks, and joyntly to renew the charge.

A pitched Battel.

217. But *Totilas* commanded his men to use only their Lances, and not their Arrows, which senseless Stratagem ruined him; making hereby his Army inferior in their offensive Weapons, as in all things else. For the *Romans* as they had occasion, used both their Arrows and Lances, and came up to the Sword, and did all which convenience required, either on *Horse* back or on Foot, sometimes surrounding the Enemy, and sometimes receiving his Charges. The *Gothick* *Horse* without their Infantry, rushed on with unadvised fury, trusting only to their Lances, and presently found their Error, being engaged amongst eight thousand Foot, so that before they could reach the *Roman* Cavalry, they had lost both many Men and *Horses*, and coming up to it very late, they found both *Romans* and Auxiliaries, striving who should most warmly first receive, and then repell them. Not able to stand after their first furious Charge, they began to retire, and the *Romans* to pursue, the Evening coming on; for the *Goths* thought that some Spirits fell upon them, and that Heaven itself fought against them. And when they came to their Foot, then their mischief increased, for they made not any orderly retreat, as to take breath for a new Charge, or for any other point of War, but ran in among them so confusedly, that they spoiled many, and the Foot opened not their Ranks to receive them, but ran away with them for Company; and it growing dark, they destroyed one another. Already Mastered by Terror and Cowardise, the *Romans* killed them sparing none. And now the darkness put an end to the Fight, six thousand being slain, and many taken, who were not long after put to the Sword; amongst them many *Roman* Souldiers perishing, that had revolted to *Totilas*.

The *Romans* have the better.

Totilas dies of his wounds.

218. The King himself with five men fled in the dark, but was pursued by some *Romans* who knew him not, and by one *Ashades* a *Gepide*, was mortally wounded with a Lance, but was drawn on by them that accompanied him, who rode amain, and having run about ten miles, they came to a Town called *Capra*, where they rested and dressed his wounds, but he soon after expired in the place, and there they buried him and went their way. Such a conclusion had the Life and Reign of *Totilas*, after he had been King of the *Goths* eleven years, not suitable to his former Actions and Successes. For in him Fortune insulted upon the frail condition of Mankind, and shewed the absoluteness of her Dominion, having without apparent merit bestowed on him a long time of happiness, and now hurrying him at her own pleasure, into Cowardise and an ignoble Death. The *Romans* knew nothing of it, till a *Gothick* Woman shewed where he was Buried, and then some distrustful the Report, opened the Grave, dugged up the Coffin, and upon search finding it to be *Totilas*, put him in the ground again, and reported all to *Narfes*. Yet there were who gave out a quite different relation of these matters, as that the *Goths* made not this unadvised Retreat, but in the first Encounter, an Arrow by chance light on *Totilas*, who being Armed like a common Souldier, and ranked among them to conceal

Sect. 1.
Cocas (or Cocas mutatis vocalibus) Contra illum ex Cagan-bart, ut in voc. All. aut Cagan-bart, Libo simile Cor. i. e. dulce. Sic Gratianus interpret.

Udrilas, i. e. Wofre-las, i. e. liberator, i. e. inter-jicitor, i. e. misc-gandum finem, ut in Waldrade.

SECT. I. away to *Picenum*, and the parts beyond the River *Poe*, under Conduct of *Idulph*, and some others. The rest staid and ratified the agreement by their Oaths; And the *Romans* took in *Cume* and all the rest. So ended the eighteenth year of the *Gothick* War, and together with it the fourth and last Book, written by *Procopius* concerning the Subject, of whom yet we must not here take our leave, having occasion hereafter to make farther use of a certain secret History going under his Name.

Here the Books of *Procopius* end.

Agathias begins as he professes.

224. Here being arrived at the end of his Travels in the *Gothick* matters, we must take *Agathias* for our Guide in our way forward, who professes to begin where the other ends his History; yet the conclusion of the one, and the beginning of the other, do not well agree. *Procopius* writes, that the *Goths* desired to depart out of the Emperour's Dominions, and that all of them except about one thousand, sealed the Agreement with their Oaths. But in *Agathias* not a word of this; for he tells us, that such as survived the Overthrow, (not mentioning a Party,) being prosecuted by the *Romans* without intermission, and pressed by frequent Assaults and drought of the places whither they betook themselves, made an agreement with *Narjes*, that they should without molestation possess the Lands they formerly held, and thenceforth live in obedience and subjection to the Emperour. These things being thus determined, faith he, every one imagined, that there would be no more Wars in *Italy*, whereas they became but the seeds and occasions of farther Dissentions. For whereas it might be justly expected that the *Goths*, who had now recovered their Habitations on both sides the *Poe*, throughout *Tuscan*, *Liguria* and *Venetia*, should sit still and be quiet, and suffer *Italy* to take some breath and repose; that those about the *Poe* had not long there continued, but they began to lay the Foundations of new mischiefs. And thinking themselves too weak, and inconsiderable to grapple with the *Romans*, resolved if possible, what they could not do in their own Persons, to effect by the power of an Alliance, and betook themselves to the *Franks* their Neighbours; the other *Goths* not joyning in the Embassy, but standing at gaze and desirous of alterations, yet doubtful concerning the event, and lately having had their hands in the fire, they desired for a while to look on, and then joyn with the stronger Party. The Messengers having got access, endeavoured to persuade the King and his Nobles, that to joyn with them was the only way to preserve themselves from Ruine, the avarice and ambition of the *Romans* being such, that the devouring of the *Goths* would but whet their Appetites, to make a greater Meal of the *Franks* and other Nations. They promised them not only much Booty and Spoil, but to pay them liberal stipends. And desired they would send them a good and sufficient Army, over which they would set an able General of their own, who should speedily recover their ancient Lands and Possessions.

The *Goths* solicit the *Franks* to joyn with them against the *Romans*.

225. *Theudebald* being of a mean Spirit, and nothing fit for matters of War, besides of a weak and sickly Constitution, no way liked of their Message, neither thought it convenient for the benefit of other men, to involve himself in difficulties and dangers. But *Leutharis* and *Butilinus*, two Brothers, for all that contracted an Alliance with them, being *Allemani* by Nation, but of vast Authority and Power amongst the *Franks*, whom indeed they governed, being first brought in by the late King *Theodebert*. Having got an Army of seventy two thousand men together, they made themselves Cocksure of the Victory, concluding that *Narjes* would not once dare to look them in the Face, and that they should speedily become Masters both of *Italy* and *Sicily*. *Narjes* though he had not fully discovered their Intentions, yet suspecting and providing for the worst, resolved if possible to prevent them, and for that purpose to take in such Towns in *Tuscany*, as yet continued under the power of the *Goths*. He presently laid Siege to *Cume*, a strong Town situate on an high Hill, and difficult to come to on the Shore of the *Tyrrhenian* Sea, where he was wholly entertained in his Assaults, by *Aligern* the Brother of the deceased *Zeias*, whose wonderful strength and activity appeared in many particulars. Not able to take it by Storm, he considered that part of the Fort stood over a mighty Hole or Cave, where it was reported, that one of the *Sibylls* of old gave her Answers, and particularly to *Aeneas* the Son of *Anchises*. This Cave he caused to be enlarged, so far till they came to the Foundations of the Fort, which being underpropped with wood, still as they digged, and then that set on fire, down fell the Wall, with several of the Buildings thus undermined. Yet did not the Project succeed, for the Cave being deep and vast before, was now enlarged to such a depth, and widened, that a mighty Chasm and Precipice being thereby made, *Cume* remained as secure as formerly. Therefore *Narjes* resolved not to spend all his time,

Aligern, Omium Amas. Pamphilius Grace, in voc. Allen.

Aligern et *Alcarnus*, *Aligern* non ita pridem in us apud Comites *Fortitudinis*, et que citissimum in curia Angli fecit.

and

and employ his whole Force against this one place, inconsiderable in respect of what was farther to be done, but sent the greatest part of his Army to the *Poe*, there, if possible, to hinder the irruption of the *Franks*.

Narjes takes in several places.

226. He himself in the mean time attempted other Towns with good success, having left a sufficient power to block up *Cume*. For the *Florentines* readily and willingly yielded up their City, so did the Inhabitants of *Centumcellae* and *Volaterrae*, with all the Maritime Coasts; those of *Pisa* also, only the Citizens of *Luca* stood out, and were very refractory, although they had promised by Oath, and engaged by delivery of Hostages, to receive *Narjes*, if they had no relief within thirty days, in which space they hoped the *Franks* would be with them. *Narjes* was much concerned to find he was so abused, but carried it very moderately, and with great wisdom, not suffering himself to be swayed by Passion or Revenge, though he had the Hostages in his hands. Yet did he devise a way by a feigned sort of execution to terrify them in the Town, presenting them with a sight of the Hostages made ready for death, placed at such a distance, and so shadowed by cloaths, hung up on purpose, that when they saw the Axes lift up, the stroke of the Executioners, their Relations fall, and heard the noise upon the boards, they thought it a real Tragedy, though a Comical part was only acted. Receiving such impressions as their deluded senses presented, they had a sutable operation upon their affections, so that lamentable cries, and great tumult followed amongst the Kindred and Allies of those they supposed to be dead. And *Narjes* was reviled as an Hypocrite, who had covered the most cruel humour imaginable, with a specious zeal to Piety and Mercy. He told them that what had happened was by their own fault, being the punishment of their perfidious dealings, and that they must expect no better at his hands, yet possibly he could shew a trick, and make them alive again, if he might but be convinced that they deserved such a favour at his hands, and by their speedy repentance would make amends for their former faults. They laughed at the conceit of raising them from death, and conceiving he mocked them, resolved to be even with him, promising to set their Gates open, and receive him in, so soon as they should perceive that their Hostages were safe; for though they never meant it, yet concluding he had killed their Friends, they thought they should be released from the Bargain by the impossibility of the condition.

227. *Narjes* thereupon presented the Hostages safe and found to their view, with which sight they were mightily affected; but seeing their Relations alive, and in good plight, though not out of danger, they began to make excuses, and at last it was resolved, notwithstanding their obligations, not to yield the City. Then did the *Roman* General shew a remarkable pattern of Magnanimity. He dismissed the Hostages freely without any Reward or Ransome, sending them into the Town, and with them this Message, That it was not his custom to flatter or delude any one with vain hopes, for they should understand that in case they did not speedily surrender, that thing in his hand, meaning his Sword, should oblige them to it, without the help of Hostages. But the men thus dismissed returned into the City, and there coming amongst their acquaintance, extolled the Justice, Magnanimity and Clemency of *Narjes* to the skies, saying, there was never a man of so noble a Disposition, and it soon appeared, that the Discourses of them were stronger and more effectual for the taking of the Town, than all the battering Rams and Engines of *Narjes*. They did their endeavour to promote his Interest, and while they discharged this office of gratitude, ill news comes to him out of *Emilia*, where the *Roman* Army at first observing good order, did that for which it was sent, but afterward through the temerity of *Fulcaris* the Captain of the *Heruli*, made an excursion to the Gates of *Parma*, and received a defeat there by certain *Franks*, whom *Butilinus* had placed in ambush in the Amphitheatre. *Narjes* was troubled for the loss of the man, who was a Person of extraordinary valour, had been but prudent, and more in respect of the consequences, which he feared might be great; but he was much afflicted when he heard how the other Captains, after the death of *Fulcaris*, for fear of the *Franks*, (who they knew would be much elevated with this success,) had forsaken the Country about *Parma*, and retired to *Faventia*. For he had sent those Forces thither on purpose to be as a Wall and Rampart to keep off the *Franks* till such time as having dispatched his matters in *Tuscany*, he could bring up his Army, and joyn with them. But now he perceived he might have sudden diversion, being by their removal exposed to the first Assaults of an encouraged and daring Enemy.

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228. But accommodating himself to the present exigency of Affairs, as well as he could, he first by a Speech encouraged his Souldiers, whom he found a little dejected at the News, shewing them that there was no Army, how victorious or valiant soever, which must not sometimes encounter with adverse fortune. And to the Officers lying at *Faventia* he sent one *Stephanus*, to require them to return to the Post formerly assigned them, which (having with incredible difficulty and speed, accompanied by two hundred stout men, passed through a Country filled with *Franks*) he did with such moving and convincing arguments, that, alarmed at their Retreat, they returned to their old Quarters about *Parma*. *Narfes* then, delivered in some measure of his former fears, besieged *Luca* more straitly than ever, disdaining they should deal so peremptorily with him. He set his Engines to the Walls, and began to attack them in earnest, which the besieged perceiving, now more seriously weighed the Motives and Reasons of the Hostages, who using more diligence than ever, as the present occasion required, the Townsmen were inclined to yield; the only obstacle was, there were certain Officers of the *Franks* in Town, to look to the Garrison, who omitted nothing whereby they might inflame their minds, and make them stand it out, though with never so much disadvantage, for part of the Walls were already broken down. They caused them to make a Sally, but they did it so unwillingly, and fought so coldly when out, that they ever had the worst, returned with loss and disgrace; and still being more pressed upon by the *Roman Army*, at length, after three months siege, they came to a full resolution to yield their City, on condition, that what had hitherto passed might be forgot and forgiven. So *Narfes* took possession of *Luca*, in behalf of *Justinian* his Master.

Luca is yielded to him.

229. Leaving *Bonus*, a prudent and valiant Person, Governour of *Luca*, he marcht with his Army to *Ravenna*, and disposed of his Souldiers into their Winter-Quarters; Autumn now declining, and the winter Solstice at hand, and with order in Spring to meet together at *Rome*. By this time *Aligern*, the Brother of *Teias*, who held *Cume* against the *Romans*, upon notice that the *Franks* were coming to his Assistance, began seriously with himself to consider the reason of their coming, with the effects of their Conquests, in case it should be their good fortune to beat *Narfes* out of *Italy*. He concluded their coming was for their own ends, not for any good meant to the *Goths*, and that if they remained Conquerours, they would turn Lords, and domineer over them. He thought it most fit and equal, that if the *Goths* possessed not *Italy*, the ancient owners should recover and enjoy it, and governed by these Reflexions, he came to *Narfes*, and gave him the Keys of *Cume*, thereby delivering both that City and the Treasures of the *Goths* into his Hands. *Narfes* joyfully and courteously received him, and caused him to go to *Nisene*, there to shew himself upon the Walls to the *Franks*, that they might see their expedition to *Cume* would be insignificant, the Riches of the *Goths*, and all the considerable Places being now in the power of the Emperour's Officers. And they indeed were startled by seeing him there, perceiving how matters were ordered, and sat in Council, seriously considering, whether they had not best to retreat, and decline the War, upon which they must enter with much disadvantage. But that Party prevailed which was for staying and pushing for *Italy*, let the success be what it would. Then did they licentiouslly forage and plunder the Countrey with Two thousand men coming near the Walls of *Ariminum*, where *Narfes* being at that time, and beholding some of them stragling from a Turret, could not hold, but mounting on Horseback, called on such Souldiers as he met to follow him. About three hundred accompanied him into the field, whom the *Franks* seeing, united themselves in a close body, so as they could not be broken, and therefore the *Romans* plyed them with darts afar off. But this not breaking them, and they refusing to stir, he caused his men to counterfeit a flight, which they beholding, made after them as fast as the could follow, and then the *Romans* turned about, made head against them, and by a sudden and unexpected Assault so terrified them, that they cut off nine hundred men, and caused the rest to run away. After this *Narfes* returned to *Ravenna*, where having set all things in good order, he removed to *Rome*, and there passed the Winter.

230. At the beginning of the Spring, thither all his Forces repaired according to order, where he caused them to be Exercised, and continually trained to all points of War, to shake off any indispotion which in Winter they might have contracted. The Barbarians in the mean time, (so the Imperial Writers call all but the Emperour's Subjects, and especially the Northern Nations, which poured themselves in upon the *Roman Territories*,) made their Inroads into all the Countrey, pro-

Cume and the Treasures of the *Goths* delivered up to him.

Agathias, lib. 2.

The *Franks* besiege *Italy*.

proceeding leisurely that they might make the greater Depredations. They pierced as far as *Sammium* in one body, but there dividing their Forces, they foraged all quarters of *Italy* to the straits of *Rhegium* on one side, and the City of *Otranto* on the other. *Leutharis* (whom *Lazius* calls *Rabaris*,) having taken the way of *Apulia* and *Calabria* to *Otranto*, when he had sufficiently enriched himself with Plunder, had enough of the War, and resolved to return home with his Booty, and then send his Army to the assistance of his Brother *Butilinus*, who would not be drawn back till he had discharged himself of the Oath made to the *Goths*. But in his Retreat through *Picenum*, he lost many of his men, who were surprized by the *Roman* Forces, lying then about the City *Pisaurus*, and afterward crossing the *Poe* into *Venetia*, both he and his Army were seized with a great Plague, which dispatched him amongst the rest by strange symptoms, for he fell Distracted, raved like a mad Dog, and tore the flesh from his own Body; being thus punished by the just hand of God, for his Injustice and Rapine, as *Agathias* cannot but observe. In the mean time, *Butilinus* (by *Lazius* called *Baldovinus*,) having waited all as far as *Rhegium*, returned towards *Rome*, where he heard that *Narfes* had got his Army together, whom he intended to engage as soon as possible, because he having prudently removed all Provisions out of the Countrey, the *Franks* were constrained to supply their want with Grapes, it being now the beginning of Autumn; which unwholesome food had brought most of them into a Flux, killed some, and he feared would make an end of more, and lessen the number of his Forces. Being arrived in *Campania*, he pitched his Camp not far from the City *Capua* upon the River *Casulinus*, which flowing from the *Appennine* Mounts, empties it self into the *Tyrrhenian* Sea, having it for a Rampart on one side, and with his Carriages and other materials, blocking up all access on the other; the Bridge also he seized, and fortified it as he saw convenient. *Narfes* hearing where he was, hasted from *Rome* to encounter him, and sat down also at a convenient distance.

231. The Armies thus placed in view of each other, the *Franks* began according to their Custome to make incursions, to forage and plunder; which *Narfes* observing and thinking it a disgrace to suffer them to do it under his Nose, he gave order to *Chamaranges* an *Armenian*, whose Regiment was placed next the Enemy, to intercept their booty, and to put a stop to their confident pilferings. He accordingly seized on several Carriages they were bringing to the Camp, and killing the Convoys, drove one of them that was loaded with Hay to the Bridge, where setting it on fire, he burnt down the Turret which the *Franks* had newly Erected, and made himself Master of the Passage. Such as were set to the defence of the Turret, hardly avoiding the flames, retired in a great fright to the Camp, where the Fire being all seen, all the *Franks* fell into a great rage, and with disdain and the greatest height of confidence, required instantly to be led out to Battle. *Narfes* also upon notice given, was not backward to Marshall his men, and being now mounted, and ready to set forward, complaint was made to him, that a certain *Herulian* of good account had killed his Servant, upon some slight occasion. The man denied not the Fact, confidently maintained what he had done, and asserted his power over his Slaves, to extend to Life or Death as he pleased. But the General conceived himself obliged to make an atonement for blood, by the blood of him that shed it, and commanded the Crime to be expiated by the Death of him that committed it. Hereupon the *Heruli* were sore offended, and resolved to give him no assistance in the fight, moreover two of them fled to the Camp of the *Franks*, acquainted them with the Accident, and advised them to fall on whilst the tumult, (for they made full account that would follow,) still continued. *Narfes* little solicitous whether the *Heruli* followed or not, led on to an engagement; but *Sindual* their Captain seriously considered that for respect to a dead man, he and his Countreymen were not to be branded with Revolt and Faction, and desired the General to stay a little for him. He told him he would not stay, but in case he came, he would leave a place for him and his *Heruli*, though he should arrive a little with the latest.

232. The *Franks* encouraged by the Story told by the two *Heruli*, made on with more haste than good speed, being in all thirty thousand fighting men, formed into the likeness of a Wedge, the figure of the letter Delta, or the shape of the head of an Hog, as our Author observeth. The *Roman* Battalion consisting of scarce eighteen thousand, was Marshallled with two Wings, and a main body of Foot, amongst which was left a void place for *Sindual* and his *Heruli*. Into this void place, when the Armies came to joyn the *Franks* pierced, which the *Roman* General perceiving, gave order to his Wings that they should receive, and then close upon them,

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Butilinus and his
Franky Cut off.

them, by which means such as stood in the middle being useless, and those on the outflides laid at from all quarters, the number of them was still by degrees diminished, and when the *Heruli* came to take Possession of their place, such Slaughters were made, that *Butilinus* and his whole Army, being caught as it were in a Net, were every one cut off; five *Germans* only escaping home; yet of the *Romans* were Slain but eighty men, and those were such as sustained the first fury of the Enemy. All the *Romans* did singularly well, and of the Barbarians, *Aligern* the Goth who was present at the Fight, and *Sindual* Captain of the *Heruli* did eminent Service; but all admired and extolled the General, by whose wisdom and Conduct, they acknowledged they had obtained so great Glory. Taking then the rich Spoils of the Enemies Camp, the victorious Army marched to *Rome*, where having the News of the destruction of *Leutharis* and his Forces, they could not contain themselves for joy, which they expressed in Feasts, Dances, and all other ways they possibly could. And there was great danger the *Romans* should surfeit of this their good fortune, for now conceiving that they were rid of all their Enemies, and that the coming of more was not to be feared; they gave up themselves to Luxury, and all effeminate practices, being ready to exchange their Swords and Helmets for Barrels of Wine, and Instruments of Musick. But *Narfes* as a wife and skilfull Physician, saw there was necessity of applying some thing that should be preventing to this growing Distemper. And by a seasonable and prudent speech, he convinced the Souldiers of their folly, that repenting of their loose kind of Life, they betook themselves to their wonted Exercises, and former Austerities.

Campse yielded
Great Earth-
quakes.

233. But a company of *Goths*, to the number of seven thousand men, conscious of their guilt, and despairing of the Clemency of the *Romans*, secured themselves in a Fort called *Campse*, being headed by one *Regnares* by Birth an *Hanne*, of that sort called *Vittores*, who to raise his Fortunes, animated them to this desperate course, and periwaded them never to yield themselves. *Narfes* presently was there with his whole Army, and perceiving there was no storming the Castle, resolved to begirt and starve them out, yet having laid in abundance of Provisions with all their Wealth, they bore it out with much cheerfulness all the Winter. When Spring came, *Regnares* was resolved to try if he could make a better Market with *Narfes*, and at his desire a conference was granted. But the General perceiving, his pride and ambitious reaches, refused to grant what he demanded, and sent him back, wherat enraged as soon as he was got upon the Hill, and near the Wall, he let fly an Arrow at *Narfes*, which hit neither him nor any other, but those of his Guard, being out of patience, sent a shower of Darts after him, wherewith he was mortally wounded, and being carried into the Castle, died two days after. Then did the besieged send to the General, and begging his pardon, yielded to quarter, which he gave them because of his Oath, but lest they should raise any more troubles, he sent them all to *Constantinople*. At this time great Earthquakes happened, in that City and several parts of the East; particularly *Berius* that beautiful eye of *Phoenicia*, and famous University for the study of the *Roman* Laws was overthrowen, and multitudes of its Inhabitants buried in the Ruines, which caused the Students to remove to *Sidon* near at hand, till it could be reedified. *Alexandria* also in *Egypt* to the wonder of all men, (that Country being counted free from such accidents,) felt the power of these subterrane Vapours, or what other cause there may be of such Concussions, and the poor Island of *Cous* was miserably shaken, as *Agathias* himself an eye witness informeth us, who chanced then to travel that way, toward *Constantinople* from *Alexandria*, where studying the Law at that time, he perceived amongst others, that City to quiver and shake, to his great terror and astonishment.

234. In the mean time, whilst things thus prosperously went on in *Italy*, the *Perfians* in *Lazica* under Conduct of *Mermeroes*, advanced their affairs, and the *Romans* suffered themselves to be fooled out of a strong place, which hitherto they had held in that Country. For *Mermeroes* not being able to take by Assault the Castle of *Telephis*, of which *Martinus* was Governour, the Souldiers diligence and Circumpection, together with the natural strength of the Place, defeating easily all his Indeavour, he counterfeited himself sick, and caused it at length to be reported that he was Dead, on purpose that it coming to the Ears of the *Romans*, they might neglect their Guards, omit their Watches, and thereby present him with some notable opportunity. The Plot took as he had laid it, for they believing the *Perfian* General to be Dead, concluded it folly to put themselves to any farther trouble, whereby he so gained upon them, that perceiving they were now

in his

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The Romans
quit Telephis in
Lazica.

Mermeroes Dies.

Nachoragan
made General in
his room.Quarrels betwixt
Gubazes and the
Roman Officers.

in his power, and that he would presently become Master of the Place, they fairly forlook it, and betook themselves to their Friends, the *Roman* Army, which then lay incamped but seven Furlongs off, Commanded by *Bessas*, and *Justinus* the Son of *Germanus*. But all of them came not safe to the Camp, *Mermeroes* falling upon their Rere, some of them were intercepted and slain, and the rest in a panic fear, running to the Army, brought news of the approach of the *Perfians*, and struck them all with such amazement, that the Officers could neither give, nor the Souldiers receive any Directions, but in confusion all ran away, to an Island hundred and fifty Furlongs off, whither *Mermeroes* thought it not convenient to follow them. For he neither had Provisions, nor was otherwise furnished for a Siege, and therefore reviling the *Romans* for their Cowardise, he made a Bridge over the *Phasis*, and passing over all his Army, returned into the Province of *Machiriss*, where he Died not long after. He was a man both of great personal Valour, and of excellent Conduct. Being old, and of a long time lame of both his Feet, so that he could not Ride, yet he forbore no sorts of Labours, but carried in his Litter to the Fight, both terrified the Enemy, and encouraged his own men, and otherwise discharged all the parts of a General, so as he obtained many Victories. But Dead, he had the Burial in use at that time with his Countrymen, which was to be exposed naked in the Air, to greedy Dogs, and other Ravenous sorts of Creatures.

235. *Chofroes* much concerned for the Death of *Mermeroes*, that his Forces might not be without an Head, and miscarry for want of Government, made *Nachoragan* General in his Room, a man of great Repute for Military Matters. Whilst he prepared for his Journey, great Heart-burnings and Quarrels arose in *Lazica*, betwixt King *Gubazes* and the *Roman* Officers, which still increased by degrees to such an Height, that at length it procured his utter Destruction. The first occasion was the Cowardise and flight of the *Romans*, which the King bore so ill, out of respect to the welfare of his Country, that he complained thereof by Letter to *Justinian*, who being formerly offended with *Bessas* for quitting *Lazica*, when he ought to have stopped up the Avenues from *Iberia*, turned him out of Command, and confined him for the present into the Territories of the *Asbagians*. *Martinus* was as much to blame for Negligence, as he for Covetousness, yet he removed not him, but placed *Justinus* next to him, and *Buzes* was the third in degree; but there was a *Quæstor* called *Rusticus* then with the Army, not being employed to gather any of the Emperour's Revenue, but having charge of the Money paid out of his Coffers, for reward and encouragement of such as behaved themselves Valiantly in the War. This *Rusticus* joyned with *Martinus* in his enmity to *Gubazes*, who perceiving how they stood affected to him, ceased not however to imbitter them by continual reflexions upon their careless and imprudent management of Affairs. They resolved not to endure it, and still keeping in mind, what he had written to the Emperour against them, resolved to remove him out of the way, and that quickly, by some means or other.

236. But upon a long and serious debate, at length it was resolved, to send and accuse him of Treachery to *Justinian*, and of a Conspiracy with the *Perfians* against his Interest, thereby either to procure Orders to make him away, or at least render the Fact excusable, and obtain Connivence. *John* the Brother of *Rusticus*, was the Messenger, who telling such a tale to *Justinian*, he was much struck with the Story, but recollecting himself, and knowing what Malice there was betwixt *Gubazes* and his Officers, did not fully believe it, but holding a middle course, replied that if it was so, he would have him sent up to *Constantinople*. *John* apprehended presently, that if he should come up, the Cheat would be discovered, and therefore asked him, whether, in case he refused to come, he were not to be compelled. The Emperour said, yes, being a Subject, and that he should be sent with a sufficient Guard. Again, *John* demanded what was to be done with him, in case he refused; *Justinian* answered, he was to be ordered as a Tyrant, and ought as such to perish miserably. Then, saith he, the man shall need to fear nothing that kills him; nothing, replied the other, if making resistance, and refusing to obey, he perish as an Enemy. He having got such an answer, and Letters written to the Officers in *Lazica*, to the same purpose, they thought they had a sufficient bottom for what they designed, and therefore sent for *Justinus* and *Buzes*, who knew nothing of the Conspiracy to accompany them to *Gubazes*, and be present at the Execution. *Gubazes* being sent to, readily met them, to whom *Rusticus* spake, and bade him joyn his Forces with theirs, and set upon *Ongoriss*, a certain Fort which he said it was a shame should continue in the *Perfians* hands, lying as it did

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in the midst of the Country. He according to his Custome fell foul upon them, and reviling them for their Cowardise and Negligence, said the fault was theirs, that that Fort was not already reduced, and he plainly told them, he would neither follow, nor accompany them in any Enterprize, till they had made amends for what they had formerly done amiss. This would they take as a Demonstration of his Revolt to the *Persians*, and thereupon immediately Murdered him in the place.

They Murther him.

237. All *Lazica* was presently in an Uprore, the Inhabitants of which sensible of the Affront, refused any more to keep company with the *Roman* Souldiers, *Justin* and *Buzes* shook their Heads, astonished at so horrid an Act, but contained themselves, imagining that certainly they had received some secret Order and Warrant from the Emperour. The Regicides to divert theirs, and the thoughts of others, from what was now done, as also to ingratiate themselves with *Justinian*, resolved to set upon the Fort *Onogoris*, so called of old time from the *Onoguri*, or *Hunnes* there defeated in Battel, but since that it was named the Fort of St. *Stephen*. Having begirt it round, and playing with their Engines, a suspicious Person was taken and brought to the Camp by *Justin* his followers, who upon Examination proved to be a *Persian*, and was sent to signify to his Countrey-men in the Castle, that *Nachoragan* would presently be with them, having already reached *Iberia*, and that such *Persians* as lay in *Muchirifs* and *Cotestum*, were upon their way in order to their Relief. A Council of War was instantly called, and the Officers spake their opinions. *Buzes* advised that they should go with their whole Army, and meet the approaching Succours, which having defeated, as there was no danger but they should, *Onogoris* destitute of relief, would fall in easily of it self; and there wanted not who were of his Opinion, in particular *Oligangus* Captain of the *Heruli*, who used that blunt but significant Proverb, that drive away the Bees, and then with ease they might gather the Honey. But *Ruficus* very malapertly fell foul upon *Buzes*, upbraiding him with a general weakness in Council, and urged vehemently that they might slay and take the Fort, and send a Party in the mean time, to put a stop to the *Persian* Succours. This his Advice was approved, and the good Council of *Buzes* rejected by the Generality, because the Multitude possibly having contracted some guilt in reference to the blood of *Gubazes*, from Justice it fell as *Agathias* observes, was to have a mischance.

The Romans defeated.

238. In pursuance of the order, six hundred Horse were sent against the Forces coming from *Muchirifs*, under Conduct of two Barbarian Commanders, who falling upon them unawares, and out of order, put them to flight, though they were three thousand men, for they imagined that the whole *Roman* Power as it was their Interest, was come upon them. But when they perceived their Error, and that they had to deal but with a small Party, they stood their ground, faced about, and making head, by an easy resistance, beat back and pursued the Pursuers; who meeting with so unexpected a fresh Charge, were neither able nor willing to endure the shock, but fled again back to their Friends, who were now busily employed in the Siege of *Onogoris*. Here they fell tumultuously, and pell mell upon the Besiegers, when they did not think of it, who, a mighty tumult being thereupon raised, with great fear and Consternation, quitted the Leaguer and ran away with their flying Friends, as fast as their Legs could carry them, which the *Persians* in the Fort observing, issued out and joyning in the Chace, did considerable Execution, especially at a Bridge laid over the River *Catharus*, over which the Running Army must necessarily pass. In probability they had all been cut off, (fifty thousand, by no more than three,) if *Buzes* had not rallied his men, and making head against the Pursuers, gained some time for them to pass over. The *Persians* in their Entrenchments before the Fort, found good Plunder, and all the places thereabout forsaken by the late Inhabitants, who leaving their choicest things behind, thought it enough they could escape so with their Lives. Now the Winter came on, and the Souldiers were disposed into their Winter Quarters.

239. In the mean time, the most considerable *Lazians* had great Disputes amongst themselves, what course to take, and the people was wholly unsettled and dissatisfied. The Nobility when they thought the *Romans* least minded them, having their hands and heads full enough since the late Defeat, called the Multitude together into a Valley near a part of Mount *Caucasus*, as most out of the way, to consider whether they should still adhere to the *Romans*, or be revenged upon them by associating themselves with the *Persian* King. A great Noise and tumult happening, when with much ado silence was obtained, one *Æetes* stood up, a man extremely addicted to the *Persian* Faction, who with vehement words, inflamed the

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the multitude against the *Romans*, taking occasion from the death of *Gubazes* to tax them with all that favoured of Ambition and Cruelty. On the other side he commended the manners and dispositions of the *Persians*, put the People in mind they were the Posterity of the ancient *Colchis*, who could not brook any thing that favoured of Disgrace or Slavery, and by the late defeat so vilified the Courage and Conduct of the *Roman* Governours, that the multitude enraged and impatient of delay, required that his Advice might be speedily put in execution. And this had been done, though the *Romans* were at hand, and they had all possibly perished in the attempt, had not the folly and rashness of *Æetes* been speedily detected by another of the Company, called *Phartazes*, who first mightily inculcated this Doctrine, that nothing rashly was to be resolved. Having let them see the inconvenience of the contrary practice, by little and little he insinuated his opinion, that by no means were they to join themselves with the *Persians*, using Arguments drawn from the difficulty of the thing, the inconsistency of Fortune in War, (though in the late Action she had favoured the *Persians*;) but especially by Motives taken from Religion, and the safety of their Souls, which he shewed must needs be in danger, if the Infidel *Persian* should once come to reign over them. In conclusion, he argued that it was unjust to condemn any before they were heard, affirmed it to be his opinion, that neither the Emperour, nor other of his Officers, besides *Martinus* and *Ruficus*, had an hand in their King's death, and, as a mean, propounded to send to *Justinian* their Complaint, and a Demand of Justice, from whom if they should receive satisfaction, then to continue quiet, if not, to doe as Piety, and the Exigency of their present Affairs should require.

Tzabtes, Brother of Gubazes, made King of the Lazians.

240. His prudent Speech quieted their minds, and made them change their Resolutions, especially moved thereunto by his Argument taken from Religion. And presently certain select Persons were sent to the Emperour *Justinian*, who readily gave them satisfaction, sending down *Athanafius*, to inquire into the Murder, and punish it according to the *Roman* Laws; as also in another thing they requested, which was the granting of *Tzabtes*, the younger Brother of *Gubazes*, to be their King, to whom, as the custome was, he delivered the usual Ensigns of Royalty. The late sorrow of the *Lazians*, upon his Promotion, was turned into excessive joy, and he entering upon the Government, ruled according to the Customs of the Country. *Ruficus* and *John* were by *Athanafius* committed to custody in the City *Asparunthis*, in order to their Tryal; but an ill accident befell one *Soterichus*, who had accompanied him from *Constantinople*. He was sent by the Emperour with a great sum of money, to be distributed, according to the ancient custome, amongst such Barbarians as bordered upon the Empire, to purchase their friendship and society in War; and in pursuance of his Trust, was to pass through the Territories of the *Misimians*, a People subject to the *Lazians*, and inhabiting toward the North-East of them. They imagined he came to seize on one of their Forts, to deliver it up into the Hands of the *Alans*, and sent some to require him to depart thence, promising, in case he would so doe, to furnish him with necessaries for his Journey. He disdain- ing they should so use him in the Character he was, caused his Followers to beat the Messengers, who being men of good Account, and enraged at the disgrace, stirred up the People against him, and in the night, while he slept securely and confidently in the place, slew him; with his two Sons, and most of his Company. When the heat was over, and they came to consider in cold blood what they had done, they too late repented; for they could not but expect the *Romans* to come and revenge the injury. Therefore, to prevent it, they revolted, and sent to the *Persians*, to desire they might be taken into their protection, promising to be obedient to their Commands. The *Roman* Officers in *Lazica* were much troubled at the News, but could not require satisfaction, being taken up with matters of a far higher nature.

Soterichus murdered.

241. For *Nachoragan* with full sixty thousand men, by this time drew near the Island where the Forces were incamped under *Martinus* and *Justin*, the Son of *Germanus*. *Martinus*, aware of his coming, had placed two thousand *Sabirian* *Hunnes* near *Archæopolis*, to stop his passage, against whom he sent three thousand of the *Dilimnitæ*, a most warlike sort of People, inhabiting *Persia*, within the River *Tigris*, who thinking to come upon them unawares, and in the night, when they were all asleep and secure, had certainly destroyed them, but that taking a *Lazian*, whom they met by chance, for their guide; he leading them through the Woods, took the advantage the darkness of the night afforded to slip from them, and coming to the Camp of the *Sabirians*, roused them from their sleep, and gave them warning. They forsaking then the former place of their incamping, disposed

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A Party of Persians defeated.

of themselves into Woods and Thickets, where, as they pass by, they fell upon them with such advantage, that they slew eight hundred of them there, and then giving the chase, the Garrison of *Archeopolis* sallied out, and did great Execution, so that of three scarce one thousand returned back to *Nachoragan*, who then went to the Island, and desired a Conference with *Martinus*. The Conference producing nothing but greater Animosities, *Nachoragan* laid a Bridge over the River *Phafis*, and transported his Army to the other side, where he incamped himself betwixt the Island and a City of the same name with the River, standing just upon the mouth of it. This Town being in the hands of the Romans, *Martinus* and his men were much concerned, and endeavoured all they could to prevent the Persians, but coming too late to effect this, they left *Buzes* in the Island to order matters there as he should see occasion, and if need were, to afford them relief. The rest entered the City *Phafis*, both to preserve the place, and because they were not strong enough to engage with *Nachoragan* in a pitched Battle.

242. Now did the Persian General besiege the City; some were busie in shooting at those that appeared upon the Battlements, others employed in filling up the Ditches, and some in moving the Engines for Battery to the Walls. *Martinus* and his Romans, were looked upon by *Nachoragan* but as a company of Sheep driven up into a Pound; and he considering what a multitude he had to deal with, thought it was requisite to employ his Wits more than his Hands. He counterfeited Letters sent from the Emperour, which intimated, that he, out of his abundant care, had sent another Army to their assistance; though he knew such was their valour, that they would not stand in need of it. Hereupon he took occasion to florm, that he and his Fellow-Souldiers having born the heat of the day, and sustained all the labour and travel, others should be sent to reap the fruit of it, and now they had even almost obtained the Victory, to wrest the Laurel from off their Heads; and he told them that his opinion was, there should be some sent to stop them at the River *Neognus*, where they lay incamped, but four Persian Parafanges distant from the City. They, encouraged with the News, all cried out, the thing was to be done, being unwilling any others should partake of their booty; and the rumour of this seditious fresh Army coming to the Ears of the Persians, had the quite contrary operation upon them, filling them with terror and dejection. *Nachoragan* sent a Party to lie in the way, and to stop the passage of these Nobodies, till he should take *Phafis*; and setting a considerable number of substantial Souldiers to combat with these men of Air, deprived himself of the use of a very good part of his Army. Yet being a man of an arrogant humour, he made himself cocksure, and triumphed before the Victory, openly boasting that before it was night, he would rid his hands of *Phafis*, and the Romans, by setting fire to the Town, and burning both it and the Army together.

243. In pursuance of this Resolution he prepared for an Assault with all the vigour and diligence imaginable. *Justin*, the Son of *Germanus*, in the mean time, betook himself to the best means of resistance, going to a Church not far distant from the City, with a Party of the stoutest Foot, and five thousand Horse, where he put up his Prayers to Almighty God, the giver of all Victory. In the mean time the Assault of the City began, wherein was nothing omitted becoming either the Courage of the Assaultants, or the Resolution of the Besieged. *Justin* at his return from his Devotions, perceiving what was in hand, caused his Men to set up a great shout, and fall upon the backs of the Persians, who thinking verily it was the same Army which *Martinus* had feigned to be sent from the Emperour, and to lie incamped by the River *Neognus*, began in a tumultuous manner to retire from the Walls, and at length drew off quite from the Siege. The Romans made what advantage they could of their flight, and routed quite one of their Wings; but the other fought stoutly, and made effectual opposition, being guarded by their Elephants, which hindred the Horse from doing any considerable Execution, till such time as *Ognarus*, one of *Martinus* his Guard, seeing himself in great danger to be destroyed by one of the Beasts, struck at him with his Javelin, which he left sticking in the lower part of his Forehead, near his Eyes. The Elephant enraged with the pain, and impatient to have the Javelin sticking and hanging at his Face, bore down all before him, tearing the Horses, and trampling on the Men, so that their Ranks were broken, and the whole Wing so disordered, that their General, how confident and arrogant soever before the Assault, now both by words and example moved them to flee, and away all ran to their Camp, with the Romans at their heels, who so far gave the chase as *Martinus* thought it was convenient.

The Persians raise their Siege from before Phafis.

Run away to their Camp.

244. Ten

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Twelve thousand of them slain.

Nachoragan flees away.

244. Ten thousand Persians in this Action lost their Lives, besides two thousand more, which *Nachoragan* by his mere folly and arrogance destroyed. He had sent them to cut down Wood, and fetch other materials for the Siege, with order, that as soon as they saw a smoke arise, they should presently return to assist in the Assault, and share in the Plunder; for he boasted that he would quickly set the Walls and Ramparts on fire. But now when he was thus shamefully beaten, the Romans returning, set fire to all his Engines, and other materials, which they seeing at a distance, in all haste and disorder returned, lest they should come after the Feast, as *Agathias* expresseth it, and so falling into their hands they least expected, were all of them cut in pieces. The Romans took the Plunder of the Field, which was very rich, and honourably buried their dead, the number of whom amounted to some two hundred. *Nachoragan* afterward made as though he intended to give Battle; but setting the Dilemma in the Trenches, to make an appearance of his stay in the Camp, he, with the rest of the Army, stole away to *Cotæsum*, and so marcht into the Province of *Muchiris*. When he had passed the half of his way, and was out of danger, they being lightly armed, strong, and nimble of body, retired also. And after them came that Party which had been sent to watch for the Chimerical Army at the River *Neognus*, understanding what had happened to their Friends before *Phafis*, and by privy and intricate ways, at length, got also into *Muchiris*; where all the Persian Forces now being met, *Nachoragan* leaving the greatest part of the Horse, and to command them, *Wafries*, a man of great Repute, himself with a few in company, went and wintered in *Iberia*.

245. All being now in repose in *Lazica*, it was thought fit to call *Russicus* and his Brother *John*, the murderers of *Gubazes*, to their Tryal. For this purpose all sorts of Officers had been sent from *Constantinople*, and a very formal process was made. *Athanasius*, the Judge, appearing in his Robes, like a Prince seated upon an high Throne. There were Scribes, Cryers and Lictors, who brought their Irons, Givets, Fetters, and other instruments of Torture and Examination, into the Court: On the left hand stood the Prisoners and over against them the Accusers; the Judgment being ordered, with this state and solemnity, by *Justinian*, both to strike the beholding *Lazians* with more Awe and Reverence towards his Laws and Government, as also to give them full satisfaction, however the matter should be determined and judged, so much adoe being made, and such pains taken, to give them content in what they desired. Some of the wisest *Colchians* appeared as Accusers, who first desired that the Emperour's Letters, written to the Conspirators, might be read; which being to the same effect as formerly we mentioned, they thence took occasion to shew how they had acted without any order, and killed him merely out of Revenge and Malice. *Russicus* coming to answer, insisted chiefly upon this, that he had killed neither a King nor a friend, but a Tyrant and an Enemy, alledging that he envied the Prosperity, and insulted in the defects and miscarriages of the Romans, betraying their Affairs to all the Barbarian Nations round about, and to the Persians especially, with whom, he said, he held a correspondence. In conclusion, he affirmed nothing had been done without the knowledge, approbation and conjunction of *Martinus*, and put such false colours upon the Fact, that the Judge at first, not able to distinguish them from true, gave an ear to what he said, till having twice debated the matter, he found that *Gubazes* had been no Traitor, neither what he refused to do in the business of *Owogoris*, proceeded from any Intelligence or Confederacy he had with the Persian, but out of Indignation against the Roman Officers, fault of whom it had been that that Fort was not already reduced. He then pronounced sentence, that *Russicus* and *John* should be beheaded, referring the matter of *Martinus* to the cognizance of the Emperour. When the *Lazians* saw them carried upon Mules to their Execution, and all the solemnity and terror thereof, they were sufficiently satisfied with the punishment of these two, and continued very quiet, and observant of the Romans.

246. The Spring following the Roman Commanders resolved upon an Expedition against the *Misimians*, who had killed *Soterichus*, and revolted to the Persians upon that occasion. *Buzes* and *Justin* were left in the Island, and four thousand Men drawn out for this service, who, according to order, but ill commanded, marcht away to the Countrey of the *Apfians*. Here the Persians interposed, having had intelligence of the design, and stoppt their passage all the summer; but Winter coming on, they fairly retired, their Laws and Customs not binding them to be out on service in that unpleasant season of the year. The Romans now being rid of them, and having free passage, sent Messengers to the *Misimians* to advise them to bethink themselves, and by an early repentance prevent that misery and de-

Agathias, lib. 4.

The Murderers of Gubazes beheaded.

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defolation which must necessarily fall upon them, having to do with so potent an Enemy, and being now destitute of their friends the *Perfians*. But they, presuming upon the unpaffableness of their Countrey, and the steepness and ruggedness of the Mountains, were so far from relenting, that, contrary to the Law of Nations, they killed the Messengers, being Men of Repute amongst the *Apfians*, their Neighbours, and who spoke nothing harsh or unreasonable, but, in a civil obliging manner, laid before them the danger into which they would infallibly cast themselves. The *Roman* Army therefore, animated with great Disdain and Anger, marches against them, but does little good for want of a sufficient Commander, some speaking one thing, some another, and every one abounding in his own sense. At length *Martinus*, who had been on the way himself, but, falling sick, was forced to return, sent them one *John a Cappadocian*, commonly called *Daixa*, who, observing that all the *Misimians* had betaken themselves to one Hold, presently laid Siege to it.

The *Misimians* besieged.

247. This Fort being seated upon Rocks, at the bottom thereof were pleasant Springs, whence the besieged, in the night, and by stealth, fetched their water. This was taken notice of by one *Illus*, an *Issaurian*, who followed them so far up, till he perceived the path how it lay, and then revealed his discovery to *John* the Commander. He sent with him an hundred choice men, who easily mounted the Rock so far, till they could see the Centinels lie all asleep by a fire side; but then it happened, that one of them falling, and his Target breaking, made a noise, which awakened these Guards, and made them all bustle and take their Weapons. But being by the fire side, they could not see those in the dark, and they knowing in what danger they were, stood still, so fearfull of making any noise, that they durst hardly draw their breath; for they were not yet got fully up, and had the Centinels discovered them, they might, by the tumbling down of one huge and massy stone, whereof there were plenty, have broken their bones in pieces. But they continuing mute, and so firm as if growing to the place, and no more noise being heard, the Guards, who being formerly asleep, could not guess what the matter was, betook them to their rest again, which seeing, up they went, soon cut their Throats, then entred the Fort, killed all they met, and set the Houses on Fire. The *Misimians* had given too just occasion to be severely dealt with, but they neither spared Women, nor the tender Infants, which were not guilty of the fault of their Parents, but dashed them against the rocks, and tossed them on their Spears at their pleasure.

Are brought under again.

248. All the night they spent in this work, secure, as they thought, of any Enemy. But five hundred stout *Misimians*, who had issued out of the Fort, set upon them unawares by break of day, and killing some, wounded more, but made all run in great disorder to the Camp, where it was resolved no more to attempt the Town by way of the Rock, but to set to their Engines of Battery, and attack the Fort. Herein they had such success at the beginning, that the besieged, fearfull of what should follow, sent to beg pardon, acknowledging their crimes had been great, but pleading the exceeding greatness of their punishment; for their Houses were wellnigh all burnt, they had lost five-thousand Men of the flower of their Nation, besides Women and Children, so that the Name of the *Misimians* was not far from being quite obliterated. *John*, for this Reason, was content to receive them to terms, and the rather, because of the coldness and barrenness of the Countrey, which afforded but little Accommodation for the Army. Paying therefore all the money back they had taken from *Soterichus* with the Emperour's Gold, and other things, they gave Hostages, and were permitted to live under the obedience of the *Roman* Empire, as formerly. And the victorious Army returned into the *Colchian* Countrey, having lost no more than thirty Men. After this *Justinian* removed *Martinus* from all his Commands, bearing him, and that deservedly, ill will ever since the death of *Gubazes*, and resolving in time to be even with him; but he wisely concealed his Indignation for the present, knowing him to be a Man much beloved by the Souldiers, considering the fickleness of Affairs in *Lazica*, and his Skill in matters of War, and especially his good Conduct of late, which was the cause that he was not involved as well in the punishment as he had been in the crime relating to *Gubazes*. In his place was *Justin*, the Son of *Germanus*, made General, with full authority over all the Forces throughout the *Colchian* Regions and *Armenia*. Being the Emperour's near Kinsman, he sent for him to *Constantinople*, and there putting the whole power into his Hands, caused him to return back into *Lazica*.

Justin made General in the room of John.

249. But

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Nacboragan flayed alive.

249. But *Chosroes* King of *Persia* was enraged at *Nacboragan*, for what had happened at the City of *Phasis*, and commanding him to repair to his Presence, caused him to be flayed alive, which done, his skin was hung upon a Rock, distended in it's full Proportion, and there it remained a Spectacle of the Cruelty of the King, as well as of the Cowardise and Indiscretion of the General. Afterward considering how the *Romans* were Masters at Sea, he thought it would be to little purpose to send another Army into the *Colchian* Countrey, for his Men found it most difficult to come by any Provisions, whereas the *Romans* had all things at their Pleasure imported to them. Therefore he judged it most Convenient for his Affairs to make Peace, and for that purpose sent an Ambassadour to *Constantinople* called *Zieb*; who, after much debate on both sides, came to this appointment with the Emperour, that the *Romans* and *Perfians* should hold and enjoy such places, as they were at present in Possession of, by the right of War, and keep themselves quiet, and forbear all Acts of Hostility, till a more strict and perfect League could be agreed on, betwixt the two Princes. The Commanders on both sides having notice, and receiving Orders conformed themselves unto them, and what before was done voluntarily, now became necessary by agreement.

Justinian grown old and loving quiet, sees the Barbarians one Nation against another, and at difference amongst themselves.

This made him neglect Military men.

250. Wearied with the Cares and the several Accidents of War, these powerful Princes thus sheathed their Swords, and continued quiet a long time after. Although the first overture came from *Chosroes*, who was utterly discouraged by the defeat at *Phasis*; yet *Justinian* secretly, and in his private Thoughts highly approved of it, especially having the Honour of the Refusal. For he was grown old, and consequently impatient of Noise and Action, which made him enter into a new Course, for preventing the many Inroads of the barbarous Nations; and that Charge and Trouble which in his Youth he had still been put to. He set them together by the Ears at home, hired one Party to fight against another, procured Emulations, Jealousies, and Disfentions amongst them; and if any Invasion happened to be made, he had some or other of that Nation by him, whom by large Gifts and Preferments, he so far made his own, that he could trust them to lead an Army against their Countreymen, knowing well that they best understood the Nature of the place, and Condition of those they had to deal with; where their weaknesses most lay, on which part they were Naked, and most liable to be hit and wounded. He thought this new Craft to be so effectual, that it made him slight his Military men, as standing now in no need of them, and the Fortifications were neglected, and suffered to fall to nothing; together with the Legions generally throughout the Empire. The Armies were in all Countries lessened, and nothing comparable to the standing Forces of the Ancient Emperours, which being wont to consist of six Hundred and forty five Thousand fighting Men; at present, there were hardly found an Hundred and fifty Thousand, and of these some lay in *Italy*, others were dispersed through *Africa*, *Spain* and *Lazica*, and some lay at *Alexandria*, and the *Egyptian Thebes*, and a very few upon the Borders of *Persia*.

The Zani reduced under the Roman yoke. An Earthquake at Constantinople.

The Plague returns.

251. About the Conclusion of the Peace, a number of *Zani* inhabiting to the South of the *Euxine* Sea, about the City of *Trapezond*, having been formerly Subjects of the Empire, fell upon the Territories of *Pontus*, and piercing as far as *Armenia*, harassed and pillaged all in their way: Against them was sent *Theodorius* their Countreymen, one very eminent for his Services, who easily Mastered them, having no good Commander to Govern them, and imposed a certain yearly Tribute upon them, by order of the Emperour; who so highly valued this subduing, and bringing them under the Yoke, that in one of his novel Constitutions, reckoning up his several Victories, he makes mention of this, as one of the Chief. About this time happened another Earthquake at *Constantinople*, so great and Terrible, that it seemed about to swallow up the whole City. *Agathias* spends many words, in describing the Fear and Conternation, which seized upon the Inhabitants of all sorts and Conditions, and makes the same Observation, as *Procopius* did in the Plague, of the great shew of Reformation, and many remarkable Acts of Piety and Mercy, which were Practised for the time; but when the Judgment was once removed, most of these Men then licked up their Vomits, and returned though leisurely to their former ways. Yet still one Punishment followed at the Heels of another, for the very next Spring the Plague which had never ceased all this while, but wandered about from place to place, again returned to the City, and swept away an infinite multitude: Some dyed suddenly, as seized with a violent Apoplexy, and such as were strongest sustained the violence of the Disease not past

Sec. 1. mongst other mischeifs which happened in *Italy*, all the time he spent there; nothing more hindred the advance of the Emperour's Interest, than the jealousie betwixt him and *John* the Nephew of *Vitalianus*. Whiltt he continued still in that Countrey, the Emperis resolving to consummate the Marriage betwixt his Daughter and her Grandfon, earnestly solicited them both by Letters for their Consent; but they still put it off, till their return to *Constantinople*; but she easily perceiving the ground of their Excuse, and suspecting that if once she were Dead, *Antonina* would bear but small respect to her Relations, Marries the Boy and Girl together contrary to all Law, and as was reported, she caused her to be forced, that the Nuptials being confirmed by deflouring of her, the Prince himself might not be able to hinder the Match. However the thing being done, they lived as Husband and Wife together eight months, and loved each other exceedingly. Yet the Emperis Dying, when *Antonina* came to *Constantinople*, she quite forgot all her promises to *Theodora*; and without any sense of her Daughters Honour, took her away by force from *Anastasi*, with whom she had lain so long, every one crying out against her for so unjust a deed. And when her Husband was arrived out of *Italy*, she easily obtained his Consent therein, by which he discovered the temper of his mind; For as to his breach of Faith with *Photius*, and others of his Friends, the World easily excused him, as supposing it done for fear of the Emperis, and not asawed and governed by his Wife. But when it was perceived that she and *Caligonus* her Pander, ruled him as they listed, then began he to be despised by all men, and derided as little better than a Mad-man. In these things, to speak freely, *Belisarius* was to blame. So the pretended *Procopius* in his secret History.

262. Three things are here principally charged upon *Belisarius*, one of them as the cause of all, viz. the doating on his Wife, the next is his breach of Faith, and the third, his Cowardise or dejection of Spirit, which appeared in his so unmanly Carriage, at the apprehension he had of Death; for as to the ill success he had in his last Expedition into *Italy*; *Procopius* confesses his Councils were well enough laid; tells us in several places, that he carried the War on at his own Expence; that the Emperour never seriously applied himself to that War, till he sent *Narjes* as General; and especially he attributes this great change of Success to the various effects of divine Providence. As for his uxorious humour, he had too great an example in the Emperour, whose Lady having such a scope given her, desired, and endeavoured to have the same Rule erected in all great Families; and having allowed his Wife that liberty in the days of the Emperis, after her Death she had been too long in Possession of it to be turned out. His Faith he ought not to have broken to *Photius* nor his Friends, if he could lawfully keep it, but he saw there was no contending with that imperious Woman, who had resolved that the Lust of his Wife, should become a Law to him, and though at first, he might be highly sensible of the dishonours offered to his Bed; yet, as other prudent men, who are afflicted in that Nature generally practise, he might think it better to make as little Noise as possible, and conceal that misfortune for which he had no Cure, but such a Remedy as would make him full as Unfortunate, as the present Calamity could do. For the pretended poorness, and abjectness of his Spirit; his Actions in the World were too glorious, and carried more demonstration of Valour and Courage with them, than to suffer such a foul Asperion to stick to his Memory. How many hundreds of times had he met Death in the face, how often did he rather seek for it, than shun it, venturing his Person far beyond the obligations of a General: Gallant minds have an antipathy to Base, Cowardly, and clandestine Attempts. No man was ever so valiant, but had some Reluctancy at the thought of an Assassination. We could instance in some mighty Commanders, that readily ventured their Lives in a Battel at the Head of an Army, and yet by all Provocations imaginable, could never be brought to indanger them only in a Duel. Nature it self has an aversion for Death, but gallant Nature especially for a base and infamous Death, by the hand of an Executioner, or some Effeminate or paltry Eunuch. But although the whole series of the late History seems a glorious and lasting Monument of *Belisarius* his worth to intelligent Readers, yet having wittingly omitted, and referred to this place, a particular Character of him, we shall doe him the Right, having presented the worth of him, to give his Picture also as it is drawn though in little, yet to the best advantage, and that by none other than the Pencil of *Procopius* too his constant Affeour.

263. *Belisarius* was the Discourse of all the World, having gained the Honour of two unmatchable Victories, brought two Kings Prisoners to *Constantinople*, and beyond all expectation, made the Race and Wealth of *Genferick* and *Theodorick*, (the

Procop. Bell. Goth. lib. 3. ad initium.

(the most renowned of all Barbarians,) the Spoils and Trophies of War. To the Roman Empire he recovered its own Wealth, from out of the hands of its Enemies, and in a short time, the Dominion of almost one half of the Lands and Seas thereof. It was a great pleasure to the *Constantinopolitans*, and such as they could not be satisfied with it, to behold him daily passing from his House, and returning thither through the Forum; for his going in the Streets was a kind of Triumph, Multitudes of *Vandals*, *Goths* and *Moors* ever following him; besides, he was a beautiful Person, Tall, and of the goodliest Countenance that could be seen. To Suitours he was ever easie of Access, and as mild as the meanest man whatsoever. Both the Souldier and Countreyman were ever in love with his Government, being to Martial men exceeding bountifull, relieving the Sick and Wounded with large Sums, and rewarding such as did valiantly with prizes of Honour. If any in Battel lost his Horse, Bow, or any other thing, presently he was supplied with another by the General. Where he Commanded in the Field, never Countreyman suffered Violence, but all, where his Armies came, had the fortune to grow Richer, selling their Commodities at their own Rates to the Souldiers; who by Guards kept off Horse from spoiling the Corn, while it was yet growing; and the other ripe Fruits were in as great security. He had a wonderful care of his Fame and Chastity, never touching any Woman but his Wife, and of so many beautiful Prisoners of the *Vandals* and *Goths*, (such as none ever saw the like,) never suffering one so much as to come in his Presence. He had a very sharp wit, and was exceedingly dextrous in a doubtfull Case; he was valiant in War with cautiousness and advice, bold when there was Reason, and ever swift or slow in his Undertakings, as the occasion required. In great difficulties resolute, full of hope, and free from perturbation. In Prosperity, he was neither Elevated nor Voluptuous. And no man ever saw *Belisarius* Drunk.

264. Thus during his Commands in *Africk* and *Italy*, he was still Victorious; And when he came to *Constantinople*, his worth was yet more taken notice of. For being himself eminent in Vertue, and exceeding all the Generals that ever were, in Wealth, and in the strength of his Lancers and Targetiers, both Commanders and common Souldiers stood in awe of him. He had in constant readiness of the Retinue of his Household, seven thousand choice Horsemen, whereof every one thought himself fit to stand in the Front at a Battel, and to challenge the most daring of the Enemies, which being observed by the ancient men at *Rome*, who took notice what those men did in the Fights, with great wonder they affirmed, that one man's Family ruined the Power of *Theoderich*. Thus was *Belisarius* powerful, both in Dignity and Council, ever advising to the Emperour's best advantage, and cheerfully executing what was resolved; whereas the other Commanders equal in power, and attending onely their private gain, made spoil of the Roman Subject, and exposed him to the Injuries of the Souldier. They neither apprehended any thing worthy themselves, nor had the common Souldiers in Obedience, and so committing many Errours, the Roman Affairs were in a short time Ruined. Thus *Procopius* in that part of his History, which precedes the Account he gives us of *Belisarius* his last and fruitless Expedition into *Italy*. Afterward he farther tells us, that the Emperour having sent for him home, held him in Honour, upon the Death of *Germanns*, yet would not send him into *Italy*, and though he were General of the East, he made him Captain of his Guards, and kept him at *Constantinople*. And *Belisarius* was the chief of all the Romans in Dignity; some indeed had the priority of being made Patritians, and Consuls before him, yet yielded him precedence, being allowed to make use of the Law, and to assume that Right it gave them against so eminent Merit: And the Emperour took it well they did so. Thus the Reader hath an account of what is said both for and against him, by one who pretended to be as free from flattery, as void of Prejudice.

265. But however these Noblemen carried themselves in the point of Precedence, certain it is that his great felicities contracted abundance of Envy, and although he was not so remarkable for any thing as his constant Fidelity and Allegiance, notwithstanding all his temptations and opportunities, yet no less than thrice was he accused of ambitious and treacherous purposes, viz. Once when he was in *Persia*, and *Justinian* was sick; a second time when he had newly Conquered *Gelimer*, and the last when he was grown old in *Constantinople*, perhaps not long after his Victory over the *Hunnes*; for *Agathias* seems to take notice of it. We are told that on the fifth day of December, the Emperour being very angry with him assembled the Senate, wherein was present *Eutychius* the Patriarch, and caused the Confessions of his Accusers to be read, which *Belisarius* took very hainously, for by *Cesar's* Command,

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Vide Almanach in Notis ad Procopii Histor. Ar. cap. p. 85.

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mand, he was deprived of his Guards and Attendance, and kept Prisoner in his own House. But in the following year, on the nineteenth day of July, he was again restored to favour, and to his ancient Dignity and Honours. And at last in the thirty eighth year of *Justinian's* Reign, on the thirteenth day of March, *Belisarius* Died at *Constantinople*, and his Estate was assigned to the August House of *Marina*. For the Reader must know, that before the time of *Justinian*, there were five several Imperial Houses or Courts at *Constantinople*, by the Authour of the Description called Palaces, besides six known by the names of *Domus* *Drivne Augustarum*, or Divine Houses of the Emperres, and three other that were styled *Nobilissimæ*. Eminent amongst these last were the Houses of *Placidia* and *Marina*, Vide *Alemas* in the first Region of the City. In some of them the Emperours would sometimes Lodge, others served for Treasuries, their Keepers being called *Curatores*, and chosen out of the prime Nobility, particularly in those days, *George* the Cousin of *Theodora* the Emperess was *Curator* of that of *Marina*. To those Houses and Palaces *Justinian* added others, built very magnificently in that Suburb called *Hæreum*, as also in the other called *Jucundianum* and *Justinianum*, at this day known by the names of *Galata* and *Pera*.

266. But such was the fortune and end of *Belisarius*, contrary to the Fables which some later Historians have devised, as that his eyes should be put out, and that he was reduced to such Poverty, that he should beg an half-peny on the Highway, which seems a mistake, for *John the Cappadocian*, a man of Patritian Dignity, Exconsul and *Præfatus Prætorio*, concerning whom *Procopius* relates, that being banished into *Egypt*, he was compelled by the Souldiers that carried him to beg Bread, or an half-peny of those they met. But of those who first related the story concerning his Blindness, and Begging, some confess that other Chronologers delivered that his eyes were not put out, but being despoiled of his Dignity, and almost all his Honours, he was again restored to his ancient Glory and Reputation. And in this condition he was willing to leave him, being glad to vindicate his Honour, but supposing him a man subject to Faults, and Infirmities, especially considering the greatness of his Place, the vastness of his Command and Power, with the largeness of his Fortune, all which are so pregnant of temptations, that he stood in need of the Assistences afforded by Christian Religion, of which it appears, that he was a Professour, from what *Procopius* relates concerning the Baptism of *Theodosius*, (upon the Expedition into *Africa*,) whatever any one hath fancied of his being a Pagan.

267. Now to return to our story of the Wars, which we shall presently dismiss after *Belisarius* the General; the *Hunnes* understanding he was recalled, and none other sent against them, began to make a stop of their flight, and that Party which invaded the *Chersonesus* fell with all their force upon the Wall. The Leader of those that defended it, was one *Germanus* the Son of *Dorotheus*, a Stripling whose Beard began but to sprout; yet being born in the same Town with the Emperour, from eight years old he had bred him up, and now set him at the Head of an Army. The *Hunnes* not being able to force the Wall, made a company of Boats with Reeds, Ropes and Wool, whereon having put six hundred men, they thought to pass by the Fortifications and seize upon the passage; but this their Design being known, the *Romans* manned out their Boats, and easily destroyed this new sort of Invention with all the men in them. The Barbarians being much dejected with this loss, they made a sally upon them, wherein they slew many, and might have done more Execution possibly, but that *Germanus* their Leader, in heat of his young blood, ventured farther than a prudent General would have done, and received a wound in his Thigh. However, the *Hunnes* discouraged with this loss at Land, and more by that received upon the Water, retreated from the Wall, and joyned themselves with those under the Conduct of *Zabergan*; those also that went for *Greece*, receiving a stop at the Straits of *Thermopylae* returned, and all resolved to march homeward. But *Zabergan* and his men threatened that they, as well as the *Cotrigurians*, would carry back a good quantity of the *Roman* Gold, and except the Prisoners were speedily ransomed, they would cut the Throats of them all. The Emperour sent them so much Gold, as he thought would suffice to redeem them, and to purchase the Retreat of the Barbarians, who having received it, set at liberty the Captives, and amongst the rest *Sergius* the Son of *Bacchus*. Which done, they left off pillaging, and returned to their own Seats.

268. The Citizens of *Constantinople* murmured exceedingly, that those *Hunnes*, having put such an affront upon the Empire, should return home rewarded, as if the *Romans* themselves had committed the offence: But the Emperour had another Design

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design which they were not aware of, and afterward produced to good effects, as our Authour observeth, that they who now blamed him, did then exceedingly admire and commend him for it. For, as we said, he had resolved upon this Project, to set the Barbarians at variance amongst themselves, and cause them to destroy one another. Therefore *Zabergan* marching but slowly homeward, he wrote to *Sandilchus*, Captain of the other *Hunnes*, his Mercenary and Confederate, letting him know how the *Cutrigurians* had invaded his Dominions, not so much for greediness of gain, as to approve themselves as good, or better, than the *Duurgurians*, in respect of valour. He tells him they had received the stipend which was to be conferred upon him, and if by a speedy Revenge he did not demonstrate himself to be the same for which he had formerly taken him, he was resolved to make a League with the late Invaders, as those who by their courage did most deserve. *Sandilchus*, enraged upon receipt of the Letter, presently invades the Territories of the *Cutrigurians*, and having thence taken a great number of Captives, falls upon those that returned out of *Thrace*, and having killed many of them, takes away their Gold, and all their booty. Such as escaped home recruiting themselves as well as they could, waged War with *Sandilchus*, and for a long time after these Nations raged against each other to all extremity, till at length both were ruined, and they lost their very Country name, (if *Agathias* observes right) so that if any of them remained, they served other sorts of People, and being dispersed, received a name from them. So far were they then from invading the *Roman* Territories, that it was not as much as known in what part of the World they inhabited. But the utter destruction of these Nations, saith *Agathias*, fell out afterwards, and every thing relating thereunto shall be declared in its order, and according to the true account of time, as near as possible. And so he concludes the fifth Book of his History, which being the last of those that are now extant, we have hence too great occasion to complain of the injury of Time, which has deprived us of the rest of his labours upon this Subject. For he was not only an Historian, but an excellent Poet, and possibly had been not so good a Poet, he had been a better Historian. For his Fancy transports him out of the way, and makes his digressions about several matters sometimes impertinent, delighting to hear himself talk, and thinking to edify his Reader by needless disquisitions. He was, as he tells us himself, the Son of *Memnonius*, born at *Murina*, (not *Murina* in *Thrace*, but that in *Asia*, situate upon the River *Pythicus*, a Colony of the ancient *Æolians*), and by Profession a Lawyer, and common Pleader, of no considerable Fortune, which he bewails, because his private necessities forced him from his beloved Studies. It is no whit his Advantage that he immediately succeeds *Procopius*; but his Digressions, when historical, are some of them so profitable, that we make use of them upon other occasions.

269. All things at this time were not well in *Italy*, which when every one expected it should never more be troubled or embroiled with the *Goths*, again began to be disturbed by another Sedition. *Vidinus*, a certain Comes of that Nation, revolted from *Narfes*, and implored the assistance of *Amingus*, (or *Omniragus*) who had been formerly the Associate of *Bucellinus*. *Narfes* resolved to crush the mid chief in the Egg, and marching presently against them, defeated them in battle; took them both, and sending *Vidinus* to *Constantinople*, put *Amingus* to death; and in this time and occasion seems to relate what *Cedrenus* mentions of *Narfes* his taking *Viria* and *Brince* from the *Goths*. So was *Italy* cleared of the *Goths*, and the greatest part of it of the *Franks*, though they had seized and held the Parts of *Ænetia*: There yet remained the *Hærule*, whom, after the defeat of *Odoacer* their King, *Theodorich* had placed near the *Alpes*. These also, at this time, an occasion was presented of turning out of *Italy* by *Sindualdus*, who being set over them by *Narfes*, presently again rebelled, and being taken, paid dear for his ambitious purposes; for he caused him to be hang'd on a very high Gibbet, and afterward, by the Arms and Conduct of *Dagistheus* the *Magister Militum*, cleared all the Coasts of the Countrey. And so at length a period was put to all these direfull Calamities wherewith the Barbarians, and especially the *Goths*, had afflicted *Italy* for so long a time, which by Fire and Sword had its Cities defaced, was despoiled of its Men, Wealth and Dignity, and from the highest pitch of felicity, brought to the lowest and most desolate condition. The greatness and variety of its calamities were such, that no Mind can conceive, much less any Tongue express, or Pen describe. But now by the singular goodness of God; after wellnigh an hundred and sixty years, it began to have repose, and *Narfes*, left he should seem inferior to *Belisarius*, set himself

Italy at last enjoys repose by means of *Narfes*.

all

SECT. 2. all manner of ways to study its quiet, and the restitution of it to its former lustre and felicity.

270. The repairing of its Cities, and beautifying it with new and magnificent Buildings, was, within a year or two, much hindered by the breaking forth of a Pestilence, which added to the former miseries, almost exhausted the Countrey of its Inhabitants. This Plague, which from the Eastern Parts invaded Italy, was called *Inguinaria & Bubonis Pests*, because Bubo's, or Swellings, arose in the privy and other glandulous parts, and were followed by a violent Fever, which dispatched the Party within three days, or else he recovered. This being over, *Narſes* went on with his publick works, and especially with the Reparation of Bridges, particularly that over the River *Anienus*, which had been broken down by *Totilas*, as an Inscription, yet remaining, testifies, which shews it was perfected in the thirty ninth, and last Year of *Justinian*. While he was in hand with these works, a notable Conspiracy was hatched at *Constantinople*, against the Life of the Emperour, on the Nones of *November*, by *Ablavius*, *Marcellus* and *Sergius*, Men of no mean Quality: who purposed to kill him by night in his Chamber; but *Ablavius* making acquainted therewith *Eusebius* the *Exconsul*, and *John* the *Logotheta*, they revealed the Plot, and the Conspirators were seized with Swords about them, of whom *Marcellus* instantly killed himself. *Sergius*, upon Examination, impeached *Isaacius* and *Belisarius*, who were also accused by *Vitus* and *Paulus*, so that *Belisarius* was imprisoned, as we said before, but afterwards again set at Liberty, as an innocent Person. Though this Conspiracy took not, yet have we brought the Reader almost to the period of this Prince's Life, and given him a prospect of all the turbulent Actions of his Reign. Another considerable Part is yet behind, which hath made him rather more remarkable to the World in later times; for who hath not heard of the Laws and Law-Books of *Justinian*? The Marks and Prints of his Sword are very long since obliterated, but multitudes of Men to this day wear Gowns which are looked upon no otherwise than as his Livery. Laws in his days, contrary to the old and received Saying, made a noise amongst Weapons, and his Government, a thing not ordinary, became famous in after times for both. First therefore what he did in reference to the Laws. And then we shall consider of the Temper and Disposition of this Man, so much spoken of, as to his own Person.

SECT. II.

Of the Laws altered, made and modelled by Justinian.

I. THE Original of the *Civil Law*, from the *Law of the Twelve Tables*, we have discovered in its due place, together with the Progress of it in its Infancy, and how many parts there were of it, or what those were which obtained the Force and Power of Law. After that the supreme Authority came to be invested in one single Person, the *Principum placita* gave force and efficacy to all the rest, or could rescind them, the Power of both Senate and People being, by the *Lex Regia*, transferred upon him. Yet the *Responsa Prudentum*, and the *Magistratum Edicta*, continued to be in use, and were given out, upon occasion, for the clearing of Doubts and Difficulties, and letting the People know what was their Duty. Forasmuch as all Difficulties could not possibly be removed by Laws formerly, or Constitutions and Edicts afterwards, the Interpretations and Answers of wise and learned Men were found necessary, nay, as *Pomponius* witnesseth, when the Laws of the Twelve Tables were made, the Authority of some prudent men was requisite to interpret them, the Credit and Reputation of whom so much increased, that, in practice, a great part of the Suits and Controversies were referred to their Council and Determination. Now their Office, Duty and Employment consisted chiefly in four things. First, in prescribing forms for Stipulations and Judgments. Secondly, in giving Council and Advice to such as asked it, in matters of Law especially, but indeed in all matters whatsoever, as *Cicero* writes, that in old time they had recourse to *Pub. Crassus*, *T. Cornelianus* and *Scipio*, in all things, whether Divine or Humane. Thirdly, they interpreted such Laws as were hard to be understood, or seemed contrary, as also Instruments of Contracts and Testaments. And lastly such matters as were neither by Law, nor Agreement and Consent of Parties, ordered and concluded, they took up and determined, *ex bono & equo*,

Matters previous to Justinian's Laws and Model.

Principum Placita.

Responsa Prudentum.

The Office of these Prudentes what.

ex quo, as seemed most right and equitable in their apprehensions, who, from their studying the known Laws, had most reason to understand what was agreeable to, or might be deduced from, them. They made Profession of this Art either walking cross the *Forum*, or sitting on Benches at home, in a grave and stately manner, where they admitted all Clients, as appears by the Books of *Cicero*, which he wrote concerning Oratory and Laws. But their *Responsa* were concerning matters of Law, not of Fact, whereupon *Celsus* hath defined their Art very well to be *Arts Boni & Aequi*.

Where they professed their Art.

Augustus takes away the Power from all but such as should be licensed by the Prince.

T. Cornelianus first made publick Profession of the Law.

Scipio Nafica. Q. Mucius Scaevola. M. Junius Brutus. M. Manilius.

Servius Sulpicius.

The multitude of Law-books begins to be cumbersome about Caesar's time.

Trebatius great with Augustus.

Ateius Capito and Labeo Antistius two seeds of Discord.

2. *Pomponius* tells us, that before the time of *Augustus*, it was free to every one to practise, who had confidence of his own Ability, neither did they sign their Answers, but wrote most commonly to the Judges themselves, or told their opinions to such as consulted them. But *Augustus* vindicated the honour of the *Civil Law*, and provided for the security of the Estates of the Subject, by taking away the power of giving Answers from all, except such as should be authorized by the Prince. Of those who excelled in this Art or Mystry, *Pomponius* reckons up about *seventy*, from *Sextus Papius*, who lived in the Days of *Tarquinius Superbus* (when the Laws made by Kings were in force) to *Salvius Julianus*, who flourished under *Hadrian* the Emperour. These, and others, omitted by him, are too many here to be reckoned up. Of them *Tit. Cornelianus*, who flourished not long after the time of *Pyrhus*, first made publick Profession of the Law, whereas those before him gave only Answers in private. *Scipio Nafica*, a young Man, was of such esteem, that an House was given him by the State in the *Via Sacra*, that he might eltem, more opportunely be consulted. A little before the 3d Punick War *Q. Mucius Scaevola*, *M. Junius Brutus* and *M. Manilius*, who laid the foundations of it, by the many Books they published, gave, as it were, life to the *Civil Law*. For *Mucius*, who was *Pontifex maximus*, the year wherein *Tib. Gracchus* was slain, left ten Books concerning Law, *M. Brutus* seven, and *Manilius* three, though *Caesar* said, he heard *Scaevola* say, that *Brutus* left but three in all, and his Method was not well liked of, because he expounded not *Theſes*, but *Hypotheses*. *P. Mucius Scaevola*, the Augur, his House, for his Skill in the Law, was called the Oracle of the City. *Q. Mucius Scaevola* was *Pontifex maximus*, and first gave form to the *Civil Law*, by reducing it into eighteen Books.

3. *Servius Sulpicius*, who was Consul together with *M. Marcellus*, and one of the most eloquent in *Julius*'s Age, came, on a time, to consult *Q. Mucius* in a point of Law. *Mucius* gave him an Answer, but he understood it not, and asked him a second time; but neither upon a second Answer did he understand the matter. Hereat *Mucius* fell on chiding him, saying, it was a shame for one who was both a Patritian, and pleaded Causes, to be an Ignorant in the Laws of his Country. *Servius*, nettled with the disgrace, applied himself presently to the study of the Law, and came to such Eminency therein, that dying in an Embassy, his Statue was erected in the Pleading place at the Publick charge. He left wellnigh an hundred and fifty Books, as they counted them, and had many eminent Auditors, who lived to see the great Change of the *Roman Government*, from a Free State, as they termed it, to a Monarchy. And the Government was changed at such time, as many eminent and learned Men had often consulted concerning a Model of the *Civil Law*, and reducing it into a Form of Art. For the multitude of Books began then to be cumbersome, and *Pompey*, *Caesar* and *Cicero* laid their Heads together, how to regulate this great variety, and prescribe to it certain bounds and limits. *Cicero* wrote a Book concerning the modelling of it, but some think he never finished it, though elsewhere they own he hath given his thoughts, and complains of the great confusion, and want of some able Person to undertake the Task. Yet notwithstanding after the time of *Julius Caesar* much more was added by heaps of Writings, and more Laws made, the Constitutions of Princes now coming to bear a great part in this mystery. But this Service *Augustus* did to this noble Science, that besides the *Leges Juliae*, formed and named from him, adopted into the *Julian* Family, he vindicated the honour of it, by taking away the liberty used formerly by every Pretender, and allowing only such to give Answers as should be authorized by the Prince.

4. *Trebatius* was a Man of great authority with him in this kind, whom he used as his familiar friend, commended by *Cicero* for his singular memory and knowledge in the *Civil Law*, who much cherished him when he was young, writing to him his *Topicks*, and many Epistles, full of very good humour. Much about this time *Ateius Capito*, and *Labeo Antistius*, for their contrary opinions, sowed such seeds of *Civil Discord*, that their Scholars being addicted to several Sects, and pertinaciously

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tinaciously adhering to their Principles, those Difficulties could not be composed in many years, and the Heads of many of their Controversies yet appear in the Pandects. For to the Party of *Capito* adhered *Mafurius Sabinus*, and then *Cassius Longinus*, to whom succeeded *Cælius Sabinus*, as to him *Jabolenus*, and to *Jabolenus Sabinus Julianus*. To the side of *Labeo* stuck pertinaciously *Cocceius Nerua*, then *Proculus*, to whom succeeded *Pegasus*, as to him *Celsus*, and to *Celsus Neratius*. Hence those of the former Party were called *Sabiniani*, and *Cassiani*; and those of the later *Proculiani*, and *Pegghani*. The Emperor *Tiberius* favoured much the study of the Law, and from him *Mafurius Sabinus* received Authority to answer publicly all questions. *Caligula* and *Nero* were rather Enemies than Friends to the Mystery of the Law. *Caligula* intending to abolish quite the Art and Profession it self, often boasted he would so order the matter, that they should be able to answer nothing but *Ecceum*, quibbling, as though he would have them answer nothing but what was *æquum*, but meaning *Ecce illum*, and intending himself, from whom all Answers in matters of Law should thenceforth proceed. *Nero* banished *Cassius Longinus*, whom afterward *Vespasian* recalled, in whose time *Pegasus* was Prefect of the City, and bore the Office of Consul. He was the Son of a certain Master of a Ship, which had *Pegasus* for its Ensign and Name, and thence was this great Lawyer so called. And from him received its name the *Senatusconsultum Pegassianum*, mentioned by *Justinian*. During the Government of *Nerva* and *Trajan* the Profession of the Law flourished, as appears from their many excellent Constitutions mentioned in the Pandects. And the peaceable Reigns of *Hadrian* and *Antoninus*, as also of *Severus*, *Caracalla* and *Alexander*, produced many excellent men, rendered famous by their Writings, of whom several we have mentioned in due places.

5. Here *Salvius Julianus*, who flourished under the Emperor *Hadrian*, must be remembered, that Eminent Lawyer of *Milan*, who composed the *Edictum Perpetuum*, which being allowed, and receiving authentick Stamp from the Prince, so as to be standing Law, another sort of Law now fell off, which was the Edicts of Magistrates, made, upon occasion, or at their entering upon their Offices. This was called *Jus Prætorium*, because chiefly made by *Prætors*, as also *Honorarium*, from their bearing these Offices of Magistracy or Honour. But how the *Prætors* should come to make Laws, which is a Prerogative of Majesty, they being but Magistrates, appointed for pronouncing, and not enacting, is questioned; especially seeing that we no where meet with any Law that gave them this Authority. Some think that at first they only propounded Edicts by right of their Office, denoting, of what matters, and in what manner, they would administer Law. In progress of time, *Vide Vinum in Justit.* the People not opposing it, they took upon them also to make Law in declaring it, yet so, as their Edicts had less force than the Laws themselves, neither could they abrogate such Laws as were constituted or received, but only help, supply and correct, that is, mitigate the rigour of the Law, and ordain something *ex bono & æquo*, concerning such things as were not mentioned nor forbidden by the Laws, though it were besides the tenour of the Civil Law. That the *Prætors*, as to these matters, could do more than either the Lawyers or private Judges, appears from so many *Exceptions* and *Aliens*, to many *Possessions* of Goods and Estates, introduced by the *Prætor*, being besides the manifest tenour of the Civil Law, in which, before what was thus introduced by the *Prætors*, no private Person could claim or attribute so much to himself. But, during the Commonwealth, other Magistrates, as the *Censors*, *Consuls*, and the *Ædiles Curules*, proposed their Edicts, all which went under the name of *Jus Honorarium*, being contained in it, and indeed in the *Jus Prætorium*, because the *Prætors* being made on purpose for administration of Justice, and having all the Jurisdiction, in a manner, had the honour to have the whole taken together denominated from themselves.

6. But an end was put to all their pretences, by the forming and authorizing of the *Edictum Perpetuum*, though the whole Power of *Senate* and *People*, being given up into the Emperor's Hands, all Powers before were but indeed precarious or derivative, as was that of giving Answers, in the Lawyers. Who the Lawyers of Eminency were, in the days of *Hadrian*, and his Successors, we have already shewn, who were famous for their Learning and Writings, which, for the most part, respected the *Edictum Perpetuum*. Now, however Persons began more than ever to consult the Prince himself, who had always at his hand the best Lawyers to advise with. From the time of *Hadrian*, to that of *Alexander Severus*, (both inclusive) flourished those great and eminent Men, out of the Books of whom the Pandects, for the most part, were taken. This Knowledge and Profession being then

then arrived at the highest pitch of Excellency, as all sublunary things are subject to change, began thenceforth to fall away and diminish. For after this time no Lawyer of any note or Eminency appears, and, by degrees, the Profession so much decayed, that in the time of *Ammianus Marcellinus* (or *Valentinian* and *Valens*, Emperours,) such as professed it, if we believe him, were esteemed rather Apparitions and Shadows, than Men, not being able to reconcile the hundredth part of these Differences and Contradictions, which, to men unskillful, seemed to be in the Civil Law it self, and yet they valued themselves at no less a rate than as the Interpreters of the *Sibylline* Oracles. Those that practised at the Bar were so rude, covetous and fordid, that they neither understood what Justice was, nor remembered that they ever had read any thing concerning it.

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When the Eminent Lawyers failed.

Yet learned Men there were after that time.

Code of Gregorius or Hermogenianus.

Theodosianus.

The difference betwixt the Constitutions of Princes.

A great Alteration made in the Law by Constantine the Great.

A Discrimination of Lawyers made in the time of Valentinian the younger.

The design of Theodosius in compiling his Code.

then arrived at the highest pitch of Excellency, as all sublunary things are subject to change, began thenceforth to fall away and diminish. For after this time no Lawyer of any note or Eminency appears, and, by degrees, the Profession so much decayed, that in the time of *Ammianus Marcellinus* (or *Valentinian* and *Valens*, Emperours,) such as professed it, if we believe him, were esteemed rather Apparitions and Shadows, than Men, not being able to reconcile the hundredth part of these Differences and Contradictions, which, to men unskillful, seemed to be in the Civil Law it self, and yet they valued themselves at no less a rate than as the Interpreters of the *Sibylline* Oracles. Those that practised at the Bar were so rude, covetous and fordid, that they neither understood what Justice was, nor remembered that they ever had read any thing concerning it.

7. The Emperours therefore must have taken upon them the whole care of the Law, and many of them, if not most, deserved well of it, as appears by their Rescripts. And yet in penning these Rescripts, several Lawyers, of great worth and Learning, must have been employed, though they have not otherwise rendered themselves famous by any work now remaining, what ever *Ammianus*, or any other, may write. For both before and after *Constantine*, Princes gave out Constitutions of very great Equity and Judgment, which certainly they themselves had not Skill to compose. These grew to such a number, that several Books of them came abroad, but of principal note and esteem were those of *Gregorius* and *Hermogenianus*, about the Reign of *Diocletian*. The Authours themselves are unknown, and some Fragments of their Books are only come to hand; but *St. Augustine*, as many take notice, makes mention thence of a certain noble Rescript of *Antoninus*, which learned men justly admire, that it should be left out of *Justinian's* Code. About an hundred years after, *Theodosius* the Second caused to be compiled another Code, wherein were contained the Constitutions of Christian Princes, from the beginning of *Constantine* to his own time. Betwixt them and those of the precedent Ages there is this difference: The Constitutions which precede *Constantine*, are most of them short and acute, weighty and elegant, as are the Writings of Lawyers of those times. Those that follow are generally tedious and lofty, more suiting the style of an Orator, than the Majesty of an Emperor. They favour of the flanting *Asiatick* style, which was that of the Court, after it came to be removed to *Byzantium*. Especially the Constitutions of *Martianus*, *Zeno*, *Anastasius*, *Justin* and *Justinian*, which are neither comparable with the other in point of Eloquence, nor yet in respect either of Gravity or dexterity of Drawing.

8. A great Alteration was made in the Law by *Constantine*, who corrected it so, as to make it more suitable to the purity of Christian Religion, and the tenderness and compassion thereof. Which he did by adding many Edicts, full of Mercy, and taking off the rigour of former Rules and Customs, both as to the materials of Law, and the forms and quirks of it. This also was imitated by his Christian Successors, as we have largely shewn in the course of our History, down from his time, till that of *Theodosius* the younger. But as every day, almost, produced some new occasion, by reason of the variety of circumstances, for some new Decree, these Imperial Constitutions grew to that infinite bulk, together with the other ancient sorts of Laws, that, before *Theodosius* began his new model of a Code, the Government in the West, or that under young *Valentinian*, thought it self obliged to make a discrimination, both of the Constitutions of Princes, declaring which should be of force, and which not, and of the Writings of Lawyers, as to the value and estimate of their Opinions, to be alledged and followed in Courts of Judicature. What these Discriminations were we have shewn particularly in their places. The Lawyers were nine in Number, of which *Papinianus* was to have the Preeminence, so as if in difference of opinions, he made one of an equal number, that of his party was to be followed. This Constitution, as *Gothofred* notes, may serve to discover how few learned Lawyers there were in those days, how few that knew the Writings of the Ancients; to be sure, it shews that the numbers and heaps of the Writings of Authours were very great.

9. But as it is very rationally thought, that the Codes of *Gregorius* and *Hermogenianus* were composed of such Constitutions of Emperours, as preceded *Constantine*, (ten years before whose beginning they end, at the Tetrarchy of *Diocletian*.) on purpose to exhibit the Pagan Law, which Christian Princes in their new Decrees had altered; so *Theodosius* might resolve for the contrary reason, as well as to select a competent number, to make a Body of such as were composed by those of our Religion. He says indeed he was moved by this consideration, how few in his Age were rich in the knowledge of the Civil Law, and were solidly learned, although

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He acquaints the Senate with his Disposition of a new Code.

The Complaint of it.

thing. To natural Children he allowed that more should be left in Legacy than formerly had been Lawfull; but afterwards published a Novel Constitution more in their Favour, which afterward we may take notice of. And he also made provision for Children obnoxious to the Services of Corporations, which he also thought fit afterwards to increase. All these things he enacted this first day of his second Consulship, or the first day of the first January after his coming to the Government. 15. The making of these new Laws, did not so divert him, but that still he was thinking and consulting about a new Model of the Old, and he came to such Resolution therein, that on the Ides of February following, he expressed it in an Edict, directed to the Senate of Constantinople. "In this Edict he tells them, that those things which to many former Princes seemed necessary to be amended, but which none of them were so bold as to bring to Effect, he now by the help of Almighty God thought fit to Communicate to the publick, and to take off the prolixity of Suits, by cutting thort that multitude of Constitutions, contained in the three Codes of *Gregorius, Hermogenianus* and *Theodosius*, of those also that were made afterwards by *Theodosius*, other succeeding Princes and himself; and by Composing one new Code, which should bear his own happy Name, in which were to be Collected as well the Constitutions of the three Codes lately mentioned, as other newer Constitutions made after them. Therefore for so vast a work, which relates to the Sustentation of the Commonwealth it self, he tells them, he hath made choice of Persons fit for so great care and trouble, viz. of the excellent *John, Exquestor* of his Sacred Palace, of *Consular* Dignity, and a Patritian; and the most sublime *Leontius*, a *Magister Militum*, *Expræfatus prætorio*, of *Consular* Dignity, and a Patritian; the most eminent *Phocas*, a *Magister Militum* of like *Consular* Dignity, and a Patritian; the most excellent *Basilides*, *Exprefect* also of the East, and a Patritian; the most glorious *Thomas, Quæstor* of his Sacred Palace, and *Exconsul*; the Magnific *Tribonian* adorned with the *Magisterial* Dignity among the *Agentes*; the Illustrious *Constantine, Comes Sacrarum Largitionum*, among the *Agentes*, *Magister* of the *Scrinium Libellorum* and of the *Sacræ Cognitiones*; the most famous *Theophilus* a *Comes* of his Sacred Consistory and *Doctour* (or *Professour*) of Law in that City; *Dioscorus* and *Præsentius* most eloquent Gowned men, of the most ample *Prætorian Forum*.

16. "To these, he saith, he had given especial Power, having first cut off Pre-faces (being superfluous as to the Solidity of Laws) as also left out such as were of the same Tenour, or contrary (except another division of Law required it) as also such as were grown out of use, to compose out of them three Codes and later Constitutions, Laws which were to be certain and written in thort, to place them under several Heads or Titles, adding and subtracting, and even changing their Words, where the Convenience of the thing should require; gathering into one Sanction, such things as had formerly been dispersed in various Constitutions, and making their meaning more evident. Yet so that the Order of times of the said Constitutions should be manifest, not only from the addition of Days and Consuls, but also from their very Composition, the first being placed in the first place, and those that followed in the next; and if any were found without Day and Consul, either in the three above mentioned Codes, or in those wherein later Constitutions were contained, they should yet be placed with the rest, without any doubt to arise concerning their general Force and Efficacy; as also such Constitutions as were given out by way of Rescript to certain Persons, or by a Pragmatick Sanction at the first, if inserted in this new Code, should be of the same Efficacy with the general Edicts. These things he tells the Senate, he hastned to bring to their knowledge, that they might understand how great his daily care was for the common Utility, designing for the time to come to have certain settled Constitutions and not to be doubted, and those Collected into one Code; that out of it being called by his Name, in all judicial Proceedings, Constitutions might be produced for the more speedy ending of Suits. Dated on the Ides of February at Constantinople, the Lord *Justinian*, Father of his Country, *Augustus*, being the second time Consul, which was in the Year of our Lord, DCCXVIII.

17. To work now go these Lawyers, about the compiling of a new Code; but while they were so employed *Justinian* sat not idle, but busied himself with suitable Industry; either for adorning, and filling up that Code, or for the Illustration of the Civil Law. For of this year, besides these already mentioned, we find twenty four Constitutions bearing Date, whereof ten of the Calends, or first day of June. Of all these the Nature of our Design will not permit us to give an Account, because we write not a Book of Law, but History, and so vastly numerous

Præfatio prima de novo Codice Faciendo præmissa, lib. Primæ, Cod. Just.

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The Querela Inofficijs Testamenti.

Regulated by Justinian.

He shews the Law as to the Infection of Mothers.

merous are the performances of *Justinian* in this kind, that only the most material of his Laws, and of most publick concernment must be touched. The *Romans* were so tender of the obligations arising from Nature and Blood, that by a Law not introduced by the *Prætor*, but by *Claudius Glicia* a Dictator, as *Cujacius* was of opinion, it was permitted to bring an Action or Complaint against a Testament to make it void, wherein a Parent, Son or Brother, was passed by or Disinherited, as contrary to the Duty of such Relations. But about this Complaint, there arose in process of time manifold Questions, and in composing and settling the matter, *Justinian* very much laboured by publishing various Laws concerning this Subject, wherein yet he scarcely satisfied himself. It was of old strongly debated, whether one who had something left him by Will, but less than the share allowed him by Law, could bring this Complaint to null the Testament, as well as he that had nothing at all. *Pliny* was of opinion, that if the Heir offered to one so passed by, to whom nothing at all was left, the Legitimate part, which if left by Will, would have Excluded the Complaint, it would be a bar to this Action. In the opinion of Learned *Baldwin* he was mistaken. But by the ancient Law, if a Son was by his Father instituted in Part, but less left him than his Legitimate share, he had an Action against his Brethren the Coheirs, for making up and supplying his share, rather than that of the Complaint for nulling the Testament, which was granted to him, in case they were not Brothers but Strangers, that were joynd with him as Heirs.

18. In like manner, if a Son was born after his Mothers Testament, being passed by, he was made Coheir with his Brothers, if such were instituted as Heirs, but if Strangers were instituted, he might bring his *Querela* or Complaint for disolving the Will. In case a Son was not named Heir, but a Legacy was left him only which yet reached not to his Legitimate share of the Inheritance, he could not bring his Complaint but only his Action, for what was wanting, if the Testator expressly ordained, that it should be made up by an indifferent Umpire. If so be, the Testator left no such order, he was of old allowed to Complain. But *Justinian* would not even in this case permit him to Complain; his pleasure being that only the remainder should be sued for, where something was left; and this he did he said for the bashfull reverence that's due to Nature: And when the Legitimate share should be computed, he would have an Employment purchased with the Father's money, to be reckoned into it. By another Law made this very day, he ordained that Employments should in certain cases be understood to be tacite cautions obliged to the payment of Debts. On the same day he also published another Noble Constitution, concerning Legitimate Successions, in what manner either a Mother or a Father might be joynd, with the Sisters or Brothers of the Dead, the Law having formerly been in no other part more various than in determining how Parents should succeed their Children dying Intestate. When *Justinian* came to the Government the custom was, that the Mother should be joynd with Sisters, that she should succeed to one half of the Inheritance, and they to the other half. This Right of the Mother he now confirmed, adding that if there were Brothers, the Inheritance should be divided by Poll, not distinguishing as the old Law did betwixt Brothers. And whereas by a Constitution of *Constantine*, the Mother was bound to give a third part of the Inheritance to the Uncle, by the Father's side of the Deceased, his Son or Grandson. *Justinian* now ordained that she should not be obliged to do it. Neither should it be material, whether she had the Right of three Children or not, which distinction was formerly made by the *Senatusconsultum* *Tertullianum*.

19. For by that *Senatusconsultum*, Mothers had the privilege given them to succeed their Sons, but of old it was limited, in case a Woman of ingenuous Condition had three Children, and a *Libertina* four. But by another Law bearing date also on this very day, or Calends of June, *Justinian* removed this limitation, giving them full Right of succession, whether they had brought forth so many Children or not. What now he established as to the Mothers Right, hereafterward confirmed in his Institutions; but in the tenth year of his Reign, when he published his two and twentieth Novel Constitution, he forbad that the Mother should have a greater share of the Inheritance, when she was joynd with Sisters, than when she succeeded with the Brothers of the Deceased; but would have it divided to them by Poll. After this he granted that Right simply to the Father, which he now gave to the Mother. But in case there were a Father, to joynd in the Succession with the Mother, Sisters and Brothers of the Deceased, the Father should have the full profit or *Usus fructus* of the Estate, but the propriety should remain to the other,

Quem consule de Legibus Justiniani in lib. cui Titulus Justinianus fuit de jure suo Commentariorum libri 4.

L. 30. de Inofficijs Testam. Cod. Just. lib. 3. tit. 28.

L. ult. de pignori suo Credit. Just. lib. 8. tit. 14.

L. ult. ad S. C. Tertullianum. Cod. Just. lib. 6. tit. 50.

Just. trium lib. 8. tit. 1.

L. ult. de jure liberorum. Cod. Just. lib. 8. tit. 1.

SECT. 2. and be divided amongst them, in such manner as is aforesaid in case no Father was surviving.

20. From the Calends of June, we can observe no Constitutions made for the space of a month. But on the Calends of July, we find him and his *Quæstor* at work again, as if he had appointed the first day of the month to this Service, there being five Laws now extant in his Code, which bear Date of these Calends. On them we cannot insist, as belonging to the *Jus Privatum*, and not so proper for our Cognifance, who write not a Book of Law but History. Neither can we take much notice of most that follow of this year, though some of them be to be mentioned. On the sixteenth of November, by publishing a new Constitution against Rapes, he thought fit to abolish all those Paragraphs of the *Julian Law*, concerning this crime committed either against Virgins, Widows, or such as were veiled in Cloisters, whether found in the ancient Books of Laws, or in the Sacred Constitutions, so as this new Law of his, should answer all the Provisions made by them. Herein he ordains, that such as take away by force any Woman of free Condition, be punished with Death; as also such as give them assistance, especially if they be veiled. Such also as thus offend against Widows, though but *Libertine*, and the Slaves of other men. And especially those that committed this offence against Married Women. All liberty of Appeal he takes away from the Offenders, according as had been anciently determined by a Law of *Constantine*: If the Women on which the Rape was committed, were only Slaves or *Libertine*, no Estates should be forfeited; but if of ingenuous Condition, their Goods moveable and immovable, both of Principals and Assistants, should be recovered to the use and property of the Women so injured. He forbids such Women to be Married to those that committed the Rapes, but to be otherwise bestowed as their Parents shall think fit. The aforesaid Pains of Death and confiscation he declares shall be undergone by the Offenders, and those that assist them in Person at the commission of the Crime; all other Abettors and Receivers shall only be punished with Death. All such Persons shall undergo such pains though the Women be consenting. Parents not Prosecuting, shall be punished with Deportation. And if any of the Assistants be found to be of servile condition, the party whether Man or Woman, shall be Burned, as had also been provided by the Law of *Constantine*.

21. For the two first months of the third year of *Justinian*, wherein *Decius* (in the West) was sole Consul, no Laws are found dated, though possibly some of those that are without date, (and inscribed to *Mennas* especially,) might thence derive their Original. The Code went now briskly on till the seventh before the Ides of April, on which day being finished, it was directed to *Mennas* the *Præfæctus Prætorio*, and before it was finished, *Justinian* halted to make several Constitutions upon divers Subjects to be inserted in it. For besides what probably might be done in these two lately mentioned months, we find by certain Dates, that in March and afterwards, the *Quæstor* was at work, and from the eleventh before the Calends of April inclusive, to the said seventh before the Ides, eleven Constitutions to have received stamp from Imperial Authority. By one on the eleventh before the Calends, he took away more difficulties in making Testaments, so as they should operate in favour of concerned Persons. On the Calends themselves, or the first of April, three Constitutions bear certain Date. I call it certain, because the Consul with month and day is also expressed; but there is another which though it want the Name of the Consul, yet because the Calends of April are expressed, and it is inscribed to *Mennas* the *Præfæctus Prætorio*, *Baldwin* with reason sets it to this day also of this very year. The three former do so nearly concern the *Jus Privatum*, that they are not so fit for our Cognifance; this is of a more general Nature, and may be taken notice of by us. It determines that Criminal Causes shall be terminated within the space of two years, reckoned from the Contestation of the Suit, after which the Party shall by all means be absolved without any allegation or pretence to be admitted; or the Judges and their Officers shall fine in twenty pounds of Gold.

22. Of old time, a Criminal Action was to be finished within the space of one year, so favourable seemed the cause of accused Persons to be, who, while in Bonds they defended themselves, could neither manumit, nor make Donations, neither be witnesses for nor against, nor look after Honours. The year was to take its beginning from the Inscription (of the Accuser's Name, who if he proved not the Crime, was to undergo the *Lex Talionis*;) in such cases where an Inscription was required, and where it was not from the contestation of the Suit. If the Accuser did not finish what he had to do in a years time, he was branded with

L. Un. de Repe-
virginum, fa-
duarum, &c. Cod.
Just. lib. 3. 13.

L. 32. de Testi-
Testam. Cod. Just.
lib. 3. tit. 28.

L. ult. ut intra
certum tempus,
&c. Cod. Just.
lib. 3. tit. 44. 11.

Tit. 26. lib. 3.
Cod. Theod. vide
Guthrie in Com.
Baldwin. ubi pri-
mò p. 51.
Conjectum, lib. 1.
Off. 6.

Infamy,

Infamy, or if of more base Condition Banished; and besides this forfeited the fourth part of his Estate. But now instead of one, *Justinian* thought fit to grant two years for prosecution, and therefore when *Tribonian* composed his Code, and was to insert in it the Laws of that of *Theodosius*, the Title which runs *that within a year a Criminal Action is to be terminated*, he thus interpolated and changed, *within a certain or determinate time*, and he did the same thing in the Laws themselves. Yet notwithstanding, such was his carelessness or forgetfulness, that in several places of the Digests, he left some remainders of the old Law, which circumscribed the time of prosecuting a criminal Action within a year. Hereupon the mistake of some Interpreters hath risen, who after a years time imagined that an accused Person might sue for Honours, which opinion was founded upon his inferring still the remainders of the old Law. But *Justinian* afterward allowed the term of three years for deciding Civil Causes, and pecuniary Matters, but allowed two for Criminal only, and out of respect to the accused Persons, is thought to have enlarged it so far and no farther. Of old time possibly he was put in mind, that in pecuniary Causes time of delay could be given but once, in Criminal to the accused thrice, and to the accuser but twice. But hereby nothing was altered as to what *Zeno* had Ordained, that a Magistrate should speedily be tried after the coming out of his Office, as *Justinian* made it a singular Case, that what was objected against a Clerk, should be decided within two months.

23. Of the ninth before the Ides of this same April, is a Constitution bearing Date, whereby he declared that if one Stipulated, to give or do something at a certain time, under a certain Penalty, in case he failed, the Penalty should take place, though he pretended he was not put in mind; for he himself ought to have remembered it. Now this, he saith, he doeth, to take off the obscurity of the old Law, which gave occasion to the protracting of Suits, but *Baldwin* shews in several particulars out of the Pandects, that the opinions of the ancient Lawyers in this particular were very express, and this was not any new Law. On the day following, or the eighth before the Ides, seven Constitutions bear Date. Whereas Persons were not at Age, till they had completed twenty five years; yet when young men were found to be frugal and discreet, after that of twenty, they were sometimes allowed to govern their own Estates by the indulgence of the Prince. Now *Justinian* thought fit to prohibit them, as also other Minors, to alienate or engage their immovable Estates, without the authority of a Decree interposing. By another made this day, he declared the Emperor and his Emperors free to make gifts to each other during Matrimony, which others could not do, so as they should forthwith be Valid, without expectation of the Death of the Prince; forasmuch as Imperial Contracts (he calls them,) are as so many Laws, and need no assent from without. By another Constitution of this day, he provided for Modesty, otherwise than what before had been practised, at least as he imagined. There had been some controversy how Puberty should be made out and proved; some said by the Habit of the Body, and ability to generate; but most agreed upon the Age of fourteen years in a Man, as twelve in a Woman, as is proved from *Tertullian* and others. But though this opinion of the *Proculeians* was the most received, yet to take off all doubts and controversies, *Justinian* thought fit to Establish it by Law, and to prohibit all unseemly inspections of the Body: This was convenient to be settled, because one not arrived at Puberty, could not contract Matrimony, make a Testament, give Testimony, nor be bound to any thing without the authority of his Tutor intervening. Full Puberty ended, of a man in his eighteenth year, and of a Woman in her fourteenth. And a Boy was wont to nourish the Hair of his Head till his fourteenth.

24. There is another Law bearing Date also of this same day, which with others of the same nature, relate to a remarkable Subject. The Subject is that of Usury, or interest for Money and other things borrowed: And this Constitution relates to the Treasury, prohibiting that it receive any Interest, but according to a former Law made by him, which hereby he confirms. Now that Law must be one which is of the same tenor with this which confirms it, and indeed no other than a Noble Constitution directed also to the same Person, viz. *Mennas*, now *Præfæctus Prætorio*, in the Consulship of *Justinian*; though how many times Consul and the day be not added. Indeed *Justinian* made many Laws concerning Usury, though he ordained nothing but what had formerly been such concerning the Obligation, the cause whence Usury descended, or how it was contracted, whether by Stipulation, Pact, or Delay; but concerning the manner, end and quantity of just and lawful Interest, he first enacted many things, liking none which had formerly

SECT. 2.

L. 12. de contra-
benda & com-
mittenda stipula-
tione, Cod. Just.
lib. 8. tit. 38.

L. 3. de his qui
veniam a statu
impetraverunt,
Cod. Just. lib. 2.
tit. 45.

L. 26. de donatio-
nibus inter virum
& uxorem, Cod.
Just. lib. 5. tit. 16.

L. ult. Quando
Tutores vel Cu-
ratores esse des-
sint, Cod. Just.
lib. 5. tit. 60. 44.
de Minor in l. 1.
de Baldino ubi
prius, p. 74.

L. Ult. de fisco-
libus usuris, Cod.
Just. lib. 10. tit. 8.

L. 26. de Usuris,
Cod. Just. lib. 4.
tit. 32.

He publisheth a
Constitution a-
gainst Rapes.

He restrains Mi-
nors from aliena-
ting their Es-
tates on their
own heads,

Clears all doubts
as to Puberty.

He regulates the
manner of Usury.

Ordains that
Criminal Causes
shall be termi-
nated in two years.

SECT. 2.

How the matter
of Usury flood
in old time.

been made by the Romans upon the same points. And in the old Common Wealth, they varied much as to their Laws and practice in this kind. By the Law of the twelve Tables, that Usury was only permitted, which they called *Usura Unciaria* being one in the Hundred, whereas before that time it was as pleased the monied Men. After that, (ten years its said,) it was brought by a Tribunitian Law to half an one in the hundred; and when even this proportion also seemed grievous, *L. Genuius* proposed a Law to the People, that no Usury at all should be taken. But the practice being suppressed, Covetous or Concerned Persons betook themselves to Frauds. They had a way to transmit the Obligation to others, who were not obnoxious to the Laws, as those they called *Secii Latini Nominis*. To obviate this *M. Sempronius* the Tribune, by order of the Senate, proposed a Law, and the People enacted, that the same Law should hold in the case of Borrowing and Lending money, with the Associates of the Latine Name, as with Roman Citizens. However *Tacitus* writes, that though many Laws were made by the people for to cut off all Fraud; yet though repressed, it renewed again by strange flights and devices. However, for the sake of Commerce and other Conveniences, it still was found convenient if not necessary, that Usury should be permitted, and the highest rose to the *Usura Centesima*, which contained twelve times the *Usura Unciaria* but now mentioned.

The *Usura Centesima*, and *Unciaria*.

The *As* was divided into twelve *Uncie* and their names.

25. For the better understanding of this, and many other matters relating to the Roman Laws and Customs, it is necessary that the Reader know something concerning their Usage, and Division of their *As*. Here, in short, it may suffice to say, that this word being the same import with a *Nummus*, with *Libra* and *Pondo*, was also received to signify any thing that was whole and Integral. For the Ancients when they divided any thing into equal parts, as an Inheritance, or any such other thing, were wont to call it *As*, and the parts of it divided, *Uncie*. And into twelve *Uncie* they divided it, as the Pound is still into so many Ounces. And the several parts had their proper Names, as two *Uncie* were called *Sextans*, three *Quadrans*, four (or a third part of the *As*), *Triens*, five *Quincunx*, six *Semis* or an half, seven *Septunx*, eight *Bes*, nine they called *Dodrans*, ten *Dextans*, eleven *Denax*, and the twelve, or the whole *As*. Now to apply this to our present matter of Usury or Interest, it must be known that the principal money was wont to be reckoned by the Hundred, as now-a-days. And this the Romans are said to have taken from the Greeks, who for a more commodious way of Accounts, reduced their Principal to a *Mina*, which contained an hundred Drachms. Now then when one in the Hundred was paid for Interest by the year, this they called *Usura Unciaria*, but not *Centesima*; for the *Usura Centesima* was when one *Uncia* or the hundredth part of the Principal was paid every month, and so twelve *Uncie* or the whole *As* in a year, which indeed was twelve in the Hundred. But their Custom was to pay their Interest every month, and when one *Uncia* was monthly paid, this was called the *Centesima* indeed, or full Interest, being the *As* of Usury. Hence followed other lesser as Parts of this *As*. *Semis* when but half of it was paid in the year, or six in the Hundred, viz. Half an *Uncia* every month, or half an one in the Hundred; *Quadrans* when a fourth part, and so proportionably.

26. Notwithstanding all Endeavours to the contrary, yet the *Centesima Usuræ* seems to have been the most common, and even that called *Legitima* in the Law Books. Some have held that it was lessened by the *Lex Gabinia*, because *Cicero* signifies to *Atricius*, that some such thing was comprehended in that Law, which he himself followed in his *Edictum Tralatricum*, or that which according to the Custom of the Ancients, he took and transcribed from the City into his Province. *Plutarch* also writes, that *Lucullus* in *Asia* prescribed those bounds. Both *Tacitus* and *Suetonius* mention a Law made by *Cæsar* the Dictator, concerning the manner of Lending and holding Possessions within Italy. What it precisely determined we know not, though it seems that in the time of *Tiberius*, the Lender took more for their Money, than by that Law they might do, which Law lay neglected, the public good, he said, being less valued than private Commodity. This caused a multitude to rise up as Informers, against such as transgressed the Law, and *Gracchus* being *Praetor*, unto him the examination of the question fell. He being constrained by the multitude of such as were endangered thereby, propounded the matter to the Senate. The Senators being afraid, for there was none of them free from that fault, craved respite of the Prince. He granted them a year and six months, within which time every man, according to the precept of Law, should settle his Estate, and make up his Domestical Accounts. Upon this, every man calling in his

Tacitus, Annal. lib. 6. Vide Calvin. Lexic. in v. Us. Tralatricum, fens.

Vide Baldinum ubi supra.

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his Debts, on a sudden there followed a great scarcity of Money; and by reason that so many were condemned, and their Goods sold, all the Coin ran either to the publick Treasury, or that of the Prince. The Senate ordained, that two parts of the Use-money should be laid out on Lands in Italy: but the Creditours disliked it, and urged the payment of the whole, as a matter impairing the Reputation of the Parties convented, to go from their word.

27. At first there was great running hither and thither, and Entreaties used. Then they flocked about the *Praetor's* Tribunal: and those things that were proposed for a Remedy, as selling and buying such Mens Goods, turned to a contrary effect, because the Usurers had hoarded up all their Money to buy Land. And because the multitude of Sellers made Land very cheap, the more a man was indebted, the more-unwilling he was to sell. Many were thrust out of all they had, and with their Wealth their Credit also sank, till *Tiberius* relieved them, by putting an hundred Million of Sesterces into a Bank, and lent it for three years without Confidation or Interest, provided the Debtor could give security to the People of Rome in Lands double the value of the Debt. By that means their Credit was restored, and other private Creditours by little and little appeared. Neither was the buying of Lands practised, according to the Decree of the Senate. Though it was holy at the beginning pursued, in the end it was carefully neglected, as almost all such things are. Such was the stir about Usury, as *Tacitus* relates it, in the time of *Tiberius*, and it seems that the Practice returned to be much as formerly, and the *Usura Centesima* continued even to the time of *Justinian*. He was against it, as too hard and exacting; but to settle the full matter of Interest there was need of good consideration. It could not be done in a word or two, but was to be fitted to various circumstances.

Justinian dislikes the Usura Centesima.

Refrains that of Senators to four,

Though not that of his own Treasury.

28. For a distinction was to be made between Creditour and Creditour, Debttour and Debttour, the thing that was lent was to be considered, with the Condition of the Obligation, what delay there was in the case, or how long the Creditour wanted his money. *Arcadius* and *Honorius*, as we have formerly seen, ordained that Senators should not stipulate or receive more than half the *As*, or six in the Hundred. But now *Justinian* thought fit to restrain illustrious Persons, under whom they were comprehended, to a *Triens*, or four in the Hundred. But as *Baldwin* words it, he did not think his own Treasury so illustrious, but that he permitted it to receive six. For a little after that Constitution he published another, whereby he enacted, that his Treasury should be bound by that Law, yet so as it might require the *Usura semis*, which was vulgar and common. *Paul*, the great Lawyer, had formerly answered, that one who had received Interest less than six, yet if he became a Debttour to the Treasury, should to it pay the full six. Now *Justinian*, in general, defines that always six shall be allowed to the Treasury, but no more, whether it be a Debt principally and originally belonging to it, or that Actions be transferred to it from other Creditours. But illustrious Persons he will allow to receive but four, which sort of Interest is, by Lawyers, called the lighter, as six, by *Pliny*, is termed civil, and moderate. *Lampridius* writes of that excellent Prince, *Alexander Severus*, that he took but four in the Hundred; and in old time it was answered, that when any thing were yearly left to the Commonwealth, the Interest was to be of four only, in the *Falcidian* Law. When any thing was delayed to be paid to the Commonwealth, as the setting up of a Statue, left as a Legacy to the People of Rome, *Paulus* also said, that but four in the Hundred were to be exacted for that delay. In like manner *Justinian* ordained, that if the Dower was not paid for whole two years after Matrimony contracted, or if after the dissolution of the Marriage the Husband did not restore back the Dower, consisting in moveables, for such *Mora*, or Delay, Interest of four in the Hundred should be paid. To which something like had formerly been appointed.

Permits Traders to take eight, and others only six.

Keeps Husbandmen in Interest of Money.

But rather burthens them in that of Fruits.

29. But Traders *Justinian* permitted to take eight in the Hundred, others in general only six, whereas twelve had been formerly permitted to all. Herein he considered the Persons of the Creditours, or of those who put out their money. And he also had respect to those who received upon Interest. He had at length pity upon miserable Husbandmen, to whom the State is so much beholden, ordaining, that to no Creditour whomsoever they should pay more than four in the Hundred, or not much more than four, viz. one *Siliqua* yearly for every *Solidus*, of which it was the four and twentieth part. But those whom he eased in the Interest of Money, he seems to have burthened in that of Fruits. For he allows the eighth part of a *Modius* to be stipulated for every *Modius*, which a little exceeds the *Usura Centesima*, or twelve in the Hundred. And indeed when

Novel. 32, 33. 34.

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he published his first Constitution formerly mentioned, he permitted all Persons to take the *Centesima* upon Commodities, though not on Money. And now he remits nothing, except it be for Bread-corn lent to Husbandmen. The reason was, because Husbandmen are wont from sowing such seeds to receive the Interest of two hundred, or more, and otherwise the prices of such things are so uncertain, that he seemed to find reason therein to consult the advantage of the Creditour, to whom the thing borrowed might be paid, in, or at, a time wherein the value of it was vain, which rarely happened unto Money, the quantity of money consisting in the value, but that of other things in weight and measure. *Constantine*, as we formerly observed, put a restraint upon the Usury of Fruit, forbidding more to be taken than a third part, or, allowing that, if two *Modii* of Corn were lent, a third should be returned back for the use of the two, so as these two, and it, should make up three parts, and, in reality, an half of the whole should be returned for Interest. This was a Reformation of the old Extravagance and Extortion, made by *Constantine*; but notwithstanding this, and that, the *Usura Centesima* was left by him as it formerly was, though he forbid it to be exceeded, the Interest of Fruits was three times greater than that of Money.

30. Both the one and the other fort *Justinian* found to be too great, and what he did as to that of money we have already said. Other Usury than that of Money he forbid to exceed the *Centesima*. That he allowed, and he allowed it to be taken of Husbandmen, from whom otherwise he forbid so much to be exacted for the use of Money, as from other men. For Fruits he grants they might take double of that of money, permitting, though but a *Siliqua* yearly for every *Solidus*, yet for a *Modius* of Corn an eighth part to be stipulated. To evade this Law, Creditours afterward were wont, when they lent Money, to say, they lent it to buy Corn, and stipulate the Interest to be that of Corn, to obviate which fraud *Justinian* took care in the law formerly mentioned. Thus he had respect to what was lent, and considered who it was that borrowed, and who lent, in these his Constitutions. But he also distinguished according to the Danger and Risk the Lender was like to run. So that if he was to bear the loss, if the fruits that were to be sown miscarried, he restrained him not by Law. Neither was that the Lawyers call *Antichresis* formerly so restrained by Constitutions, but that it might be used, provided there was no fraud therein. They called it *Antichresis*, when the Creditour received the Fruits of a piece of ground, or other thing, which was given in pledge for Money lent. And *Lucullus* seems to have attempted to restrain the practice of it, and to reduce it to moderation. To be sure both the obligation of it, and of other sorts of Pledges, was dissolved, if the Principal was tendered. However *Justinian* forbid, that the Fields or Goods of Husbandmen should be held by the way of *Antichresis*. The Ancients indeed prohibited the Instruments of Husbandry to be taken or obliged this way, but he extends the Prohibition to other of their things, though the Creditour lent them the Corn, and underwent the danger of the miscarriage of the seed. For miserable must be the estate of the Husbandman, and Husbandry itself must be disturbed, if their grounds be held and tilled by other men.

31. There was another sort of Usury, as remarkable as any of the rest, if not more, and that arose from Money lent for Traffick by Sea, called *Fœnus Nauticum*, and *Trajectitium*. In case the Creditour took upon himself the danger of Sea and Navigation, nay and in such case subjected the very Principal to danger, the Ancients judged Usury to be free, and by no means to be circumscribed, it being indeed the price of the danger rather than any thing else. But such Contracts *Justinian* thought fit to restrain to the *Usura Centesima*. Yet afterwards he found, that these *Contractus Trajectitii* were so various, that they could not conveniently be regulated by one Law, and his Resolution was various about them. In order to a right determination, concerning lawfull Interest in such Cases, a distinction must be made in reference to the condition of the Money lent, and the peril undergone by the Creditour. Moreover it's to be known, that the Law so often mentioned concerning the moderation of Usury, properly belongeth to Stipulations and Contracts, and that sometimes, even by the Imperial Constitutions, greater Interest was due without contract. As *Justinian* himself afterwards declared, that the Interest of such things as had been decreed in Judicature, concerning which the Law had passed, should be that of the *Centesima*, if so be the Party said did not make payment after four months, provided it should be only for the Principal, not for any former Interest due upon the Principal, though they had been joined together as one in the condemnation. And yet he declared by the former Law, that no greater Interest should be exacted for Contracts, than he therein allows, though the Contracts had been made before

Other Interest than that of Money he forbids to exceed the *Centesima*.

Forbids the *Antichresis* in the Lands or Goods of Husbandmen.

The *Fœnus Nauticum* uncertain.

Interest of things obtained in Judicature allowed to be of the *Centesima*.

L. 16. de *Usura*.

L. 26.

L. ult. Cod. *Just. de Usura* si *judicata*, lib. 7. tit. 54.

the Law, in the time when it was lawfull to stipulate greater. And what is more observable, he permitted not the course of Interest to exceed the double, or more to be paid for Use, than the whole Principal amounted to; nor though there was a Pledge in the case.

Interest not to exceed the Principal.

32. This was received of old for Law, that when the Interest did equal the Principal, the payment of it should cease, although it was the *Usura Nautica* and *Trajectitia*. But *Justinian* insinuates, as *Baldwin* observes, that there were some old Laws, by which, if the Creditour had a Pledge, he might retain it, and so by it, exact even greater Usury; which Laws, whatsoever they were, he took away, that so the Moderation of Interest, which he brought up, might be preserved. He also observes another effect of this Moderation of our Legislatur. In reference to the doubling of the Principal, and stopping of Interest when it should have equalled it, *Antoninus* the Emperour, by his Rescript, declared, that to the making up of that sum which equalled the Principal, such Interest as had formerly been paid should not be reckoned, but only such as were in arrear from the Debtour. But *Justinian* considering, that by this means a knavish Debtour might have the advantage above the honest and well meaning, who constantly kept his day of payment, and that a covetous and exacting Creditour should fare better than one who was generous, and not exacting or precise in getting Money, though he had at first taken that Rescript or Law of *Antoninus* into his Code, yet at length he thought fit to repeal it, and ordained that Interest already paid, and the several payments of Interest it should be reckoned to make that sum, which equalling the Principal should discharge the Debtour from farther Usury. This his favour was abused by certain Creditours, who extended it to extinguish some pecuniary Incomes, which otherwise were perpetual, which constrained him to publish another Novel Constitution whereby he repressed that interpretation. For when the Creditour can call in or recover his Principal, it is a fault in him to chuse rather to oppress the Debtour with Interest; and therefore where he doth not call it in, the Law stops the Use-money; and he may thank himself for suffering his Principal to lye dead in the Debtour's hands: But if it be so alienated, that it cannot be recovered, and by the payment of it, a Pension or Annuity be purchased, though with that Condition, that the Debtour, by repayment of the Principal, might discharge himself, it seemed hard, that having for some years only paid as much to the Creditour as it came to, he should refuse to pay Interest still for that Money which he kept in his hands, and which the Creditour could not recover out.

Former payments to be reckoned in.

But this now restrained.

Interest forbidden to be changed into Principal.

The Laws of other Nations were extravagant in this point of Interest.

33. Another particular is still behind, which shewed how moderate this Legislatur was in point of Usury. The old Laws forbid that Use should be taken for Use-money, or Use upon Use, inasmuch that they marked him with Infamy that should require it. Yet, as *Justinian* observes, they did not make sufficient provision against the practice, but by permitting the Interest to be turned into Principal, and then the Interest of the whole sum, so put together, to be stipulated, made it all one thing to the Debtours, and thereby regulated not Things but Words. But he resolved to obviate this fraud by defining, that, to take off this colour and vizard of Justice, no Use-money or Interest should be turned into, or receive the name of Principal, and Interest stipulated to be paid for it. Yet this Law seems to be imperfect, no Sanction or penalty being added for the fault it prohibits, and therefore it is demanded what punishment such Offender is to suffer. In the Law at first mentioned, as well as in this, he added, that stipulations made contrary to these Laws should be of no force; and in favour of Husbandmen he was more severe, ordaining, that such as did not observe his Novel Constitutions in that point, should lose their Principal. This *Baldwin* observes, and since him *Molineus* embraces the opinion of such Lawyers, as think an infamous Usurer may be punished criminally, and may be tortured, though in the Laws no such provision be made, and this he had seen done in the Parliament of Paris. *Plato's* Law was very severe also, which would permit the Debtour so exacted upon to pay neither Interest nor Principal. But *Baldwin* pronounces such Theoremes of Philosophers to be too confused, and to disturb the Commerce of humane Societies. As also that the Laws of other Nations, as to Usury, kept no mean nor distinction, but were intemperate and infinite, and either prohibited or permitted every sort of Usury. But how more wilely, faith he, and considerately did *Justinian* act: And yet he adds, Posterity bewitched with a foolish sort of Superstition, and filly abhorring the name of Usury not understood, whenas they did not refuse the thing it self, hath dared to inveigh against so good a Legislatur in this kind.

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L. penult. Cod. de *Usura*.

Novel. 121.

Novel. 160.

Hec certe erat non rebus sed verbis, tantummodo legem parere, l. 28. de *Usura*.

L. 26.

Vide *Notas in l. 20. ex quibus causis infamia irrogatur*, Cod. *Inst.* lib. 2. tit. 12.

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Donations between Man and Wife prohibited.

Not when first contracted.

The Donation, answering our Joindre, not anciently known to the Romans.

Justinian takes pains in this Affair.

Prohibits Appeals in point of taxing Costs.

He publishes his Code.

34. We have done with the business of Ufury, but shall farther take notice, that the same Day he made the Law which gave occasion to the Discourse upon this Subject, he published another on a different, wherein he altered the Law as it had formerly stood. The Ancients prohibited mere Donations betwixt Man and Wife, for according such Inconveniences as extreme affection or importunity might procure betwixt them. They prohibited them not when they were first contracted; but this sort of Donation is said to have had a tacite condition, if Marriage followed, especially by a Law of *Constantine*; for indeed before, when no cause was expressed, nor any condition, the ancient Lawyers seemed to interpret it to be a pure and liberal Donation, so as the thing became presently theirs, to whom it was made. There was a third sort of Donation before Marriage; which was not a mere Donation, but for consideration, being, as it were, a certain compensation of the *Dos*, or Portion, which the Wife brought; or our Joindre in *England*, which the Husband contributed as she did her *Dos*. *Baldwin* saith, this sort of Donation was unknown to the ancient Lawyers, even by confession of *Justinian*; but in the time of the later Emperours, when Barbarism diminished the Dignity of Husbands, and when men became thereupon uxorious, it began to be in use, there being no mention of it in the Pandects. Hereupon though the *Dos*, or Portion, be said to be by the Law of Nations, yet he scarcely allows this to belong to the Civil Law. And at first it was not prescribed how much the Man should give or contribute upon this Account. But *Leo* and *Anthemius* decreed, that some equality of Portion should be observed in the Pacts of the *Dos*, and this Donation, that on such terms as the Husband gained a third part of the *Dos*, the Wife should gain in like manner a fourth of the Donation.

35. This equality therefore might otherwise be unequal, and Interpreters commonly, though barbarously, said it was *quotitative*, not *quantitative*; yet *Justinian*, when he made his Code, was content to admit it. He only added, that if the *Pactis* were unequal, they should be so reduced to equality, that the greater gain should be brought down to the less, as if the Wife compacted to gain a third part of the Donation, and the Husband but a fourth, that Part of hers should only be understood to be of the fourth part. He afterward in a Novel Constitution approved this Law; but some time after, by another, he enacted, that both in quantity and frame of this Donation for Marriage, such equality should be observed betwixt it and the *Dos*; that so much should be contained in it as in the other. He had formerly ordained, that the Donation should not be greater than the *Dos*. He was afraid that the Law which prohibits a simple Donation to be made from the Husband to the Wife, should be infringed; and herein, contrary to his wont, he seemed little to favour Women, by repreffing the liberality of their Husbands. But this Donation tended to their advantage, the *Dos* being better secured to them, and thereby the Husband being hindered from breaking the Matrimony by divorce, rashly, and without a cause. Indeed the Wife, in respect of her *Dos* she brought with her, had a great Obligation upon all her Husband's Estate; but besides, this condition was profitable; for the Husband could not alienate such things, especially if immoveable, though the Wife consented, as the Legislatour determined. And then, as the Woman divorcing her self without cause, lost part of her *Dos*, so the Husband, in such case, lost part of his Donation also.

36. The day following the date of all these Constitutions lately mentioned, or the seventh of the Ides of *April*, presents us with one directed also to *Mennas*, wherein *Justinian* will have all due honour and respect paid to Judges, and ordains, that in case a Judge have omitted to tax the Expences of a Suit, and to award them to him that overcomes his Adversary, there shall be no need of any Appeal, but the Judge, *ad quem*, to whom the Adversary cast, of course appeals, shall have power to decree him a compensation for the said Costs and Damages he hath sustained. Though all or most of the other Constitutions were made before the Code was published, yet we can scarcely think that this was, because on this very same day we find the Code it self set forth, though *Baldwin* would have it the day following. It appears so to have been by the date of the Edit, prefix to it for its confirmation, which, in our later Edition, bears date of the seventh of the Ides of *April*, and is directed also to *Mennas*, as *Præfatus Prætorio*, Expresseth of the City, and Patriarch, which *Mennas* continued to be Prefect to the Month of *August* of this year. He begins his Edit by telling his Subjects, "That the main defence of the State proceeded from two fountains, of Arms and the Laws, which exerting thence its Power, had procured the happy Stock of the *Romans* to be preferred before all Nations, had caused them to have Dominion over all People for the time past,

Sponsalia Donatio.

Et propter ab Justiniano expressè vocatur, quia ita donatur. Prima appellata est Donatio ante Nuptias, sed Justinianus eam vocari mandavit Constitutionem præter Nuptias, cum eam etiam post Nuptias fieri permitteret, ut ipsam Ditem. l. ult. tit. 3. lib. 5. Cod.

Quotitative non quantitative.

Nov. 22.

Nov. 97.

Nov. 61.

L. ult. Quando provocare non est necesse, Cod. Juss. lib. 7. tit. 64.

De Justiniano Codice confirmatio.

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The Edit of publication.

"and with the Favour of God, would doe the like for that to come. One of these; he adds, always stood in need of the Assistance of the other, the Affairs of War being kept in safety by the Laws, as well as the Laws preserved by the safe-guard of Arms. That therefore applying his Mind, and Endeavours to the chief means of the Preservation of the Commonwealth, he had by manifold means, and provident Methods amended the State of the *Militia*, as well by reducing the ancient Laws into a better Frame, and that in a short space of time, as by ordaining new, yet without any new publick Expences.

36. "But it being necessary by reducing into Brevity, the multitude of Constitutions as well found in the three ancient Codes, as those added afterward, to take away the obscurity of them, which cast a mist before the Judges in their Decisions; for the performance of this common Good, with the Assistance of God, he applied himself earnestly to it, and having made choice of Men, who were most Glorious, for their learning in the Laws, their experience in the World, their indefatigable Industry for the good of the State, and their laudable Design, with certain Restrictions, he committed to them this great Labour, by which the Constitutions of the three Codes of *Gregorius*, *Hermogenianus*, *Theodosius*, together with the Constitutions of the said *Theodosius*, of succeeding Princes, and such as had been made by himself, he commanded to be collected into one Code; which should be named after himself. The Prefaces he tells us, were to be taken away, as affording no suffrage to the Sanctions, as also such contrary Constitutions as were made void by others, more lately promulgated, such also as being to the same purpose, and made no distinction in Law; besides many other things, he gave in Charge to those most prudent Persons; and the Omnipotent God gave Assistance to his Endeavour, which was undertaken for the Commonwealth. After this, he declares that those Persons formerly named, according to their several Titles and Qualifications, which here it will be needless to repeat, viz. *John*, *Leontius*, *Phocas*, *Basilides*, *Thomas*, *Tribonian*, *Constantinus*, *Theophilus*, *Dioscorus* and *Præsentinus*, being chosen for completing to great a Work, had by the help of God, brought what he had committed to them, through their sedulous and most vigilant Industry, and their moderate digesting of Matters to a prosperous Issue, and had presented to him a new *Justinianean* Code so composed, as should be profitable to the Commonwealth, and agreeable to the Constitution and Interest of his Empire.

37. "Then applying his Speech to *Mennas* the Prefect he tells him, that he thought fit to direct this Code, which for ever should be of force to the Judgment of his Highness, that as well all that have Suits, as the most eloquent Advocates may know, that in all Causes and Tryals, they insist not for the time to come on any Constitutions found in the three ancient Codes now mentioned, or on any amongst those at this time called Novel Constitutions; but only make use of those inserted in his Code, under pain of Forgery. For he saith, the reading of the Constitutions of his said Code, if the Labours of the ancient Interpreters of Law be added, are sufficient to decide all Controversies; there being no doubt to arise, either for that, some of them are without Day or Consul, or for that they are Answers to certain Persons; it being most evident, that they all obtain the force of general Constitutions; although some of the said Constitutions be so framed, that certain words be taken away, added or altered, which Liberty he had given to the said most Excellent Persons. He forbids that, any reciter them out of the Books of the ancient Lawyers, otherwise than they are in his Code, permitting them only to commend the opinions of the Interpreters, which shall only so far be of value, as they do not contradict the Constitutions of his Code. If there were any Pragmatick Sanctions which had not been received in his Code, perhaps granted to Cities, Bodies, Schools, *Scrinia* or Offices, or to some certain Person; if so be they granted any special Privilege and Indulgence, they should remain in force; or if they were designed for certain Heads or Chapters, then they should be of force if they were contrary to no Constitution in his Code. In like manner, if any thing had been done in the Court of *Mennas*, or other Civil or Military places of Judicature, or at the *Principia Numerorum*, in reference to publick Expences, or any Titles relating to the publick, he adjudges them to be valid as the common Utility doth require. And now he concludes with an Epilogue, which he, or his ten Compilers of the Code, have cut off from all the Constitutions therein comprized. Let therefore thy Magnifick and Illustrious Authority, according to the Vigilancy thou usest in behalf of the Commonwealth, and in fulfilling our Orders, cause the said Code

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"to be known to all sorts of People, by Edicts published according to the Custom. The Text it self also of the Code, is to be sent into all Provinces subject to our command, with our Divine (so still they used to word it) Subnotation, that to the Constitutions of our Code may come to the knowledge of all; and that there being Festival days to come, that is from the sixteenth day before the Calends of May, of this present seventh Indiction, in the Consulship of the most famous Decius; Quotations and Authorities of Constitutions, may be made from our said Code. Given on the seventh before the Ides at Constantinople, Decius, the most Famous, being Consul, A. D. DXXIX.

The haste of the
Compilers cen-
sured.

38. In this Edict he commends much his ten Compilers, for their Industry and Skill; whatever their Industry was, their haste seems to have been too great and precipitate, having taken but the time of fifteen Months, for the Collecting and Interpolating of this Code. This indeed they might the more easily doe, because he gave them leave to take away the Prefaces to the several Constitutions; which afforded no light to the Sanctions. But they took away both Prefaces and Epilogues, and thereby deprived us of a great Light, which they would have afforded the occasions, and consequently the reasons of the Laws. It were to be wished they had taken away all contrary Constitutions, and those of the same Tendency and Effect. And that the Liberty he gave them of taking away, adding and altering Words had been more cautiously used, as with great Grief to all understanding Men, it is found that it was not; their Interpolations being most notorious. And Justinian by the persuasion of them or others, seems to have made too much haste, having scarcely put into this Code, the tenth part of the Constitutions he found requisite afterward to add of his own device. At the same time, that he published this Code (which he ordained should be of Force, from the sixteenth before the Calends of May, or the fourteenth of April) he was still hammering new Constitutions, it is therefore admired that he should not defer the Publication of it, till they were finished. And he found so much occasion for the increasing their number, that for the collecting and inserting of them, a new Edition of the Code was afterwards found necessary.

Privileges granted to Souldiers
not to extend to them, when
at home.

How far the
Alienations
made by Minors
shall be good.

39. The very day following the Confirmation of the Code, we find a Constitution directed to this same *Mennas*, whereby the Emperour declares such Privileges as were ordinarily granted to Souldiers, in declining Exceptions, and in the Restitution *in integrum*, should only hold in the time of Expedition, and not when they lay in other places, or at home. And whereas Military men had also allowed them great Liberty, in making their Testaments, which let them free from the Solemnities, which in those of others were required, by another Edict directed also to *Mennas*, he declared that they should only hold in such Expeditions, and not at all times. This bears Date on the fourth day before the Ides, and on the Ides themselves, another Constitution is still directed to *Mennas*, whereby he declares that such Alienations as had been made of the Goods or Estate of a *Minor*, or one under Age, without the Intervention of a Decree shall be good; if the said *Minor* after his coming to Age, or twenty five, did not contradict it, but held his Peace for five years. But whereas a *Minor* could make no Donations, though with a Decree, in the time of his Minority, except only for the cause of Marriage, he will not have them valid, except such Person after he came to Age, shall if present be silent ten years, and if absent twenty. And if he dyed before those Terms completed, his Heirs within the remainder of the Term may recall, if he please, the Donation; not after. These Constitutions might easily have been taken into the Code before its Publication, according to what we now can judge; but the Truth is, there might be pressing Reasons not to stay so long, of which at this distance we are ignorant: So also we are not certain, but that many more might be made betwixt this and *August*; but yet we find a space of near four Months of Intermission, wherein the Emperour and his *Quæstor*, seem to have taken their ease as to this Affair. For the next we find in the Code, bears Date of the eighth before the Ides of *August*; yet being directed still to the same *Mennas*, we suspect other inscribed to him without Date might have been Composed in so much distance of time; but then as to the time we have no certainty.

40. That Edict so much concerns the *Jus Privatum*, that we shall not meddle with it, for Reasons formerly given. We find on one day of the next Month, viz. the sixteenth of September, or the fifteenth before the Calends of October, eight several Constitutions bearing Date, as now they are in the Code, not directed to *Mennas*, but to *Demosthenes*. For *Mennas* being now out, *Demosthenes* came in for the remainder of the Year and that following, together with one *Atarbius*, as *Alaman-*

L. ult. de Re-
stitutione. Mi-
nor. Et etiam
de Reip. causa
ab-
Int. Cod. J. fi.
lib. 2. tit. 5.
Dat. 6. Id. Apr.
C. Conf. 529.
L. 13. de Testam.
Militari, Cod. lib.
6. tit. 21.

L. ult. si Major
falsus dicitur
non fidelem fuisse
Decretis ratam
habuerit, Cod.
J. fi. lib. 5. tit.
74.

L. 20. de Collati-
onib. Cod. J. fi.
lib. 6. tit. 20.

Justinian fa-
vours Legacies,
and Fideicom-
missa.

Prohibits the
base Children
of Illustrious
women, to suc-
ceed them in
their Estates.

An Infant not
to be dis-in-
herited as ingrate-
full.

Nor a Posthu-
mous Issue.

The same Per-
son not to be
Affessor and
Advocate.

What Sons not
Emancipated,
acquired for
their Fathers
and what not.

nus observes from a Constitution published by *Ant. Contius*, though whence he tells not. This *Demosthenes* also, as he observes, had been *Præfatus Prætorio*, eight years before in the time of *Justin*, in the first Consulship of *Justinian* and *Valerius*, to whom that Emperour directs a Law concerning a blind man; whether, *Id. Qui Testamenta facere po- tuit vel non, Cod. Justiniani, lib. 6. tit. 21.* he made an Alteration from what had been before, granting an Action in Case of Legacies, and *Fideicommissa*, both against Thing and Person, and besides an *Hypotheca*, or Obligation upon the rest of the Testators Estate, and he took away the Distinction of Legacies formerly used. By another, he expressly forbade that, if an Illustrious Woman had legitimate Sons, and also Bastards, of whom the Fathers were uncertain, that the Bastards should succeed her, together with the Legitimate, either by virtue of a Testament, or if the dyed without a Will, or by any Deed of Gift, made betwixt the living. For that a Bastard should be named as Heir to a Woman, both of free and Illustrious Condition, he esteemed it an horrible thing, and unworthy of the times. So much was he concerned therein, that he Dedicates this Law to Modesty, and that deservingly, which he thinks always is to be regarded. He was, of Opinion, that the Greatness of Quality made the Crime the greater. But if a Woman of ingenuous Condition, was a Concubine to any Free-man, he permits that such Children propagated by such lawfull Conjunction, be admitted to succeed their Mother, together with her Legitimate issue, in her lawfull Patrimony.

41. He farther ordained, that such Infants as were exposed, should be taken and held for free and of ingenuous Condition, and as at this time he defined, what Children should be accounted ingratefull, upon that account, as that they might be dis-inherited, or loose part of the Inheritance; so a few days after, or on the twelfth before the Calends of October, he approved what the great Lawyer *Paulus* had written, that an Infant could not be styled ingratefull by the Mother, nor be repelled from the Mothers Inheritance. But whereas it was held, that out of hatred to the Husband, a Woman might dis-inherit her Son, he rejected it, and ordained that none should be burdened by the hatred of another Person; that an Infant could not be ingratefull, and therefore could not be dis-inherited, and if he were, might always have the benefit of the *Querela Inofficiosi Testamenti*. As for Posthumous Children, or those that were unborn at the death of their Parents, though he was of several minds herein; yet at last, he resolved that they could not be dis-inherited. For he forbade it to be done at all, without just Cause, and no just Cause could there be as to Posthumous Children. On the fifth before the Calends of October; he decreed that the same Person should not be both Affessor and Advocate, or be Affessor to two Magistrates. On the sixth before the Calends of November, he ordained that a Judicial Sentence of the Prince, should have the Force of a general Law. And on the third before the Calends, or the twenty ninth of October, he made several Constitutions which are said to have been recited seven times in the new Consistory of his Palace. Of one we shall take notice, which declares what things these are, which a Son as yet in the Paternal power, and not Emancipated, acquires to his Father.

42. By the most ancient Law, whatsoever such a Son gained, he acquired it all for his Father, who had the full Propriety and Dominion of it. But by the Constitutions of the Emperours, Sons, if they were Souldiers, had the Privilege to acquire to their own Propriety and Dominion; what they got by the Service, or those things called *Bona Castrensis*, which by this example was also granted, to such as served the Commonwealth in a *Militia non Armata*, in such Goods as thence were called, *Bona quasi Castrensis*. But for Adventitious Goods of a Son in Power, they were still acquired to the Father. *Constantine* first excepted Goods coming by the Mother; and then other Emperours, such as came by Matrimony, or betrothing. All these Constitutions in favour of a Son *Justinian* approved; but whereas other Adventitious Goods were acquired for the Father, he judged it a more just thing in the General, that the *Ususfructus* of Adventitious Goods should be granted to the Father, and the Propriety kept for the Son. As for those they called *Profectitia*, which proceeded from any thing, or cause of the Father to the Son, those he suffered to be acquired for the Father. But whereas he seemed to be so Indulgent to Sons in Paternal Power, as contrary to the old Laws, he gave them the Propriety of Adventitious Goods, though the *Ususfructus* belonged to their Fathers, yet would not he suffer them, either, to make a Testament of them, or make any Alienation of them amongst the Living, or engage them, without the Consent of their Fathers. Yet it seems very rational and consequent, that the one should follow the

A a 2 other;

Sect. 2.
In Secret. Hifi.
lib. 22.
l. 8. Qui Testa-
menta facere po-
tuit vel non, Cod.
Justiniani, lib.
6. tit. 21.
l. 1. Communis
de Legatis, Cod.
lib. 6. tit. 4.
l. 5. Cod. J. fi.
lib. 6. tit. 57.

Et hanc legem
ipfi pudicitie
quam semper co-
stantem fove-
mus, merito de-
dicamus.

l. 3. de Testam.
exposit. Cod.
lib. 8. tit. 52.

l. 23. de Insti-
tut. Cod. lib.
3. tit. 25.

l. ult. de Affec-
tor. Cod. lib.
1. tit. 51.

l. 5. de Emis-
sione, lib. Cod. lib.
6. tit. 61.

l. ult. ejusd.

Sect. 2. other; but he fearing he had done too much already, would do no more, but left the old Law still in Force. Or rather *Baldwin* is of Opinion, that if he had been moved about it, he would also have given this Liberty of making Wills; being otherwise too indulgent to Sons, that by his Novel Constitutions he would have certain Goods, besides the *Castrensia*, and *quasi Castrensia* in their full Propriety, without any *Usufructus* left to their Fathers, such were Goods left to them with this Condition, that the Fathers should not have the *Usufructus* of them, Goods that came from a Division of a legitimate Inheritance, when the Son and Father were Co-heirs, and as such the Son obtained by an unjust Divorce. As for Adventitious Goods, the Father was the Administrator, or Curator of them at his own Charge, but not without the Son's Consent, as neither could the Son act as to them without him. Although a Tutor and Curator, had in General power to all without such Consent required.

43. Whereas it was formerly unlawful to make any Deed of Gift, or Donation, above two hundred *Aurei*, except it was publicly Registered, he being a Friend to liberality, permitted first three hundred, and afterwards five hundred to be given without such public Solemnity. But as to the Donations of the Prince, he would have them free, and exempt from all Law of Registering whatsoever. And he was so Cautious that as he would have the Emperours Donation free from the Law of Infusion, so also such Gifts of private Men, as were made to the Emperor.

Donations when not to be registered.

Vide Baldi- num qui supra.

The following Year, was the fourth of *Justinian*, and marked with the Consulship of *Lampadius* and *Orestes*, who were both Consuls in the West; *Justinian* little regarding this Honour it seems, and not caring whether at all, or on whom he bestowed it. Amongst several he made this Year; we shall first take notice that on the sixteenth of *March* he abrogated a Law of *Honorius*, and *Theodosius*, whereby it was ordained, that a Testament made ten Years before the Death of the Testators should be void. For he took it as an Argument, that the man would have it to continue in Force, because he did not all this while revoke it. Indeed if he did revoke it by another Testament legally made it was void in Law, or if he revoked it by Word of Mouth, before three Witnesses it should stand revoked, if ten Years passed before the death of the Testator, but not else; or he might in such a Case revoke it at a public Registry, and the Revocation should stand good, provided ten Years passed as is said. Of the Laws of this Year, made and altered by him, we shall take no farther notice, being all of such Concernment as relates to the *Jus Privatum*, which the Reader, if he please, may find in *Baldwin* his *Justinianus*, a learned Book as to the Matter, though much as to the Alteration of Laws, to them that do not practise them, not easy to be understood. But at the latter end of this Year, or the eighteenth before the Calends of the next, he gave out, that memorable Mandate for collecting of that Body of Law from the ancient Writers, which now we call the Pandects and Digests. For these Books were to receive, and into them were to be disposed the substance of the Civil Law, from the Writings of the greatest Professors thereof, digested under several Heads.

Justinian gives out a Mandate for composing the Digests.

44. His Mandate he directs to *Tribonian*, with the Title of his *Quæstor*, in whom he wonderfully confided for this Affair, though not so happy as *Julius Cæsar* would have been in his *Sulpitius*, or *Hadrian* in his *Julianus* for such an Attempt, in the Opinion of *Baldwin*. After some Preface he tells him, that moved "with the Confusion that was in the Law, he had already framed his Code, from the Constitutions of former Princes rightly amended, and digested, and that chiefly by his Ministry and oversight. That having had experience of his Dexterity in that Affair, he had committed to him also this present Design, of collecting and amending an entire Body of *Roman Law*, and given him Power to take to his Assistance, such of the most eloquent Antecessors, and Advocates of the Prefecture as he should think fit, to bring them into his Palace for this purpose, and to give them Testimony, as to their fitness, to whom he had committed the Work; yet so as all should be managed by his most vigilant oversight. He commands them then to read and refine the Books of the ancient Lawyers, to whom the Emperours had given Authority to write and interpret Laws, that from them, all the Matter thereof might be collected, without any thing mentioned, that was either to the same purpose, or of disagreeing Sense, as much as was possible, but so as that one saying should suffice for all. When this was done, with high-flown Words he declares, that it ought to be digested into fifty Books, and under certain Titles, in imitation as well of the Constitution of his own Code, as the *Edictum Perpetuum*, as they should most conveniently do it.

Prefatio prima de conceptione Digestorum ad Tribonianum Præmissa Digestis.

The purpose of it.

"That so nothing might be left out of the Collection, but in these fifty Books should be comprehended the whole ancient Law, which had lain confused for almost a Thousand five Hundred years, but now was purged by him, and fenced as it were in its own Wall. Herein they should observe an equal Authority in all Authours of Laws without any Prerogative of Dignity. Because all were not certain in all, but either better or worse, in certain and peculiar Points.

45. "But neither will he have them conclude, that to be most equal and just, which most Authours say, because perhaps the Opinion of but one, and he inferior, may be better. Therefore he will not have them presently reject what is alleged out of the Notes of *Emilius Papinian*, by *Ulpian*, *Paulus* and *Marcellian*, for the honour of that most splendid Person. But if any thing they meet with in them, which should confummate the Labour of so great a Wit, or necessary for Interpretation, they should not delay to put it down for Law; as all other Opinions, which he confirms by his imperial Authority. He gives, them in Charge as a thing to be studiously observed, that if they find in ancient Authours any thing not well placed, superfluous or imperfect, without any Tedioufness they amend it, and produce the work, as consummate to all purposes. Yet should they observe, that if they found any thing not rightly written in the ancient Laws or Constitutions, put by the Ancients into their Books, they should reform, and so regulate it that it might seem to be true, the best, and that as it were written from the beginning, which they made choice of and placed there. And he declares that none dare by comparing the ancient Book, to reprehend their writing as vitious. For, whereas by the ancient Law called *Regia*, all Right, and all Power of the People of *Rome*, was transferred into that of the Emperor, and whereas he did not divide all Law, into such and such Parts of the Lawmakers, but would have the whole to be his own, what could Antiquity abrogate as to what he ordained? Nay he will have all such Laws to be of that Force, that though they were written otherwise by the Ancients, yet placed now contrarywise in this Collection, no Fault shall be imputed to the writing, but this shall be ascribed to his choice. In Conclusion, he will have no *Antinomias* in any Members of this Collection; but one Concord, and one Consequence, without any thing said to the contrary.

46. "But he again prohibits, that any thing like or to the same purpose, be inserted in this Work; as also that such things as are ordained in the Constitutions placed in his Code, shall again there be put from ancient Law, the Imperial Authority of the Makers suffering for their Authority, except for the sake of Division, Repletion, or for fuller inquiry this happen; but this shall be very seldom done, lest any knotty Controversie thence arise. If any Laws had grown obsolete, he will have them by no means to suit them in; his meaning being, that only such things should obtain, as were most frequently practised in Judicatures, or the long Custome of that City had approved, according to what *Salvius Julianus* wrote, that all Cities ought to follow the Custome of *Rome*, which is the Head of the World, and not observe the Custome of other Cities. Now, faith he, not only the ancient *Rome* is to be understood, but our Royal *Rome*, which by the Favour of God was founded with better *Anguria* or beginnings. He commands therefore, that by these two Books or Collections, all matters be managed, the one of the Constitutions, and the other of the *Jus Enucleatum*, except he should publish something afterward, in way of Institutions, that the mind of the Student void of knowledge, being first inured to simple matters, might more easily be brought to a knowledge of greater prudence. Now he declares and ordains, that this Elaborate work, which they by the help of God shall compose, shall have the Name of Digests or Pandects. That no Lawyers for the future, shall dare to add any Commentaries to it, and by their verbosity confound the Compendiousness of the said Books, as had been of old practised, when almost the whole Law was disturbed by the contrary Opinions of Interpreters; it being enough by Indexes, and the subtilty of Titles (called *Paratitula*) to make some Admonitions of it, so as no inconvenience arise by their Interpretations. And that no doubt may afterward arise by writing, he commands that this Book be not composed by the Captions of *Sigla*, and compendious *Enigmata*, which had introduced many *Antinomies*; although the number of the Books be signified, or any other thing; for he will not grant that the numbers shall be made by special *Sigla*, but explained by the consequence of Letters. Then he concludes with a serious Epilogue, and dates this Mandate in the eighthteenth before the Calends of *January*, *Lampadius* and *Orestes* being Consuls, A. D. DXXX.

47. In

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Defects observed by Baldwin.

47. In obedience to this Mandate, *Tribonian*, *Baldwin* observes, took to him as Assistants *Theophilus* and *Cratinus* of *Constantinople*; *Dorotheus* and *Anatolius* of *Byzantium* Antecessors of Law, and eleven Pleaders of Causes out of the *Forum* of the *Præfectus Pretorio* of the East. And he wishes he had joined to them *Julianus* a Consul of those times, and a Patriarch of *Constantinople*, whom *Priscian* testifies to have exceeded almost all the Ancients both Greek and Latine in every sort of Learning. And he adds, it had been well, had he also employed *Priscian* who lived at this time at *Constantinople*, a Grammarian indeed, but such a Grammarian as excelled in the skill of *Roman* Literature and Antiquities, one who diligently perused the Monuments of the ancient Lawyers, and underlooked the learned way both of speaking and writing. Many Books *Justinian* confesseth to have been brought by *Tribonian* to the management of this Affair, which otherwise were then unknown, and that two thousand Books containing three hundred myriads of Verses were to be perused. He talks of fifteen hundred years wherein the *Roman* Law till his time had lain confused, whereas his own Reign began but in the MCLXXX of the City, as some observe, and *Baldwin* cries out, that three hundred years were scarcely to be reckoned, for that Law which was reduced into the Pandects, and partly makes an observation, how little and dark the memory of *Roman* matters was in those times. But however, faith he, the revival of all *Roman* Law from the beginning of the City, and of all Antiquities is committed to a few *Græculi*; and others will have it, that the Envy of these *Græculi* brought more damage to the *Roman* Glory and Law, than the Burnings and Desolations procured by the *Goths*. To be sure it was a work of such Labour and Judgment as is not exprefible, to cut down materials out of so vast a wood, and to select out of so many vast Volumes, stuff for erecting of such a structure: Not onely the words and matter, but even the writing it self must bring with it much difficulty. But he requires that no *Sigla* be used in the Text, which had brought in great Inconvenience. By *Sigla* he means *Sigilla*, or small Notes or Marks when whole Names and words were noted by the first Letters. These Notes had been formerly disowned in ordinary Testaments, though in those of Souldiers they were permitted. Indeed if a thing was to be kept obscure, it was convenient to have it written in them, and in such manner *Augustus* commanded the *Sibylline* Books to be written by the hand of the Priests, with obscure Notes, that so they alone might read them. But *Justinian* had a design of another nature.

48. Which Design did not yet fully take, though it was very good and profitable, because the Interpretation of those Notes was very difficult. Therefore *Tribonian* and his Companions, especially in such haste, might well be mistaken. Sometimes they were prone not to expound them, their meaning being for the most part ambiguous, otherwhiles to take Notes for Letters and Letters for Notes, which the old Transcribers of Books much confounded to the great vexation of Readers. But the end propoed by *Justinian* in waving these Notes, is to shun an *Antinomia*, by which the Ancients meant the Repugnancy of two Laws rather by accident than Nature, as when two *Theses* differed in one *Hypothesis*, which often happeneth; but he means by it a contrariety and conflict of Laws in their very Nature. This *Antonomia* of his meaning was very difficult to avoid in a work of so vast a Bulk, so great differs of the Ancients, and such variety of Opinions and Contraverfies, with which those Books abounded, out of which the Pandects were to be Composed, there being not onely diversity of Opinion in private men, but two Sects and Families of dissenting Lawyers as the *Sabiniani* and *Proculi*. There wanted a man of more solid Judgment than possibly *Tribonian* was, to weigh duly and determine those great differences and various opinions met with by these Undertakers, who being many in number brought each as they had Collected, their several parts or shares which were all sewed up together, so as one knew not what part the other had taken, in the choice of his Collections.

49. Another thing he charges them with, is not to insert any obsolete Laws, which *Baldwin* thinks they did better not to obey him. For most of the ancient Law was in his time grown obsolete. Those Customs of the ancient *Roman* Forum vastly differed from his. Not onely the Seat, but the form and face of the Empire was changed; the Religion, Jurisdiction, Manners, and in conclusion, the Commonwealth it self was different. Not many *Roman* Antiquities had been inserted into those Pandects, if nothing had been therein comprized, but what obtained in the time of *Justinian*. It's farther to be noted as ill, that some things of the *Roman* Superstition are left therein which the Christian Religion absolutely abhors. Which is to be attributed to the carelessness of the Compilers, and could not be confirmed by

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by *Justinian*. Memorable is that other branch of this Mandate, whereby he orders them to accommodate what they transcribe to the Manners and Customs of their own Times, and upon that account, to change and transform the Writings of the Ancients, to add and take away what they should think convenient. Now in Composing the *Edictum Perpetuum*, three or four alterations are instanced to have been made by *Julianus* the Compiler. But they that made the Pandects more audaciously interpolated as they thought fit, and as they were constrained to do it, to accommodate the Laws to their own times. But they leave no mark of distinction what was old and what was theirs, and he commanded the Inscription to be put as if nothing had been altered. But in this as the preceding part of the Mandate, sometimes *Tribonian* obeyed his order, and sometimes not, which makes the matter more in the dark, and if it be not distinguished what is *Ulpian's*, and what is *Tribonian's*, great Inconvenience must come of it.

50. In the last place, he commands that the Pandects should be Composed in the same method as the *Edictum Perpetuum Hermogenianum*, when he Composed his Books of Epitomes, he pretended also to follow the order of the Edict; yet added thereto many other Titles. For whereas the Law respects either Persons, Things, or Actions, and *Edictum Perpetuum* onely handled Actions, there seemed need to add some Chapters concerning the other two. This Example *Justinian* followed. The first part of the Edict was inscribed *de personis*, or the first, the second was *De Judiciis*, and the third *De Rebus*, which Inscriptions he gives to the parts of his Pandects. What in the *Edictum Perpetuum* was briefly expressed, he would have more largely explained, but yet not so largely as the Interpreters of the Edict, *Paulus* and *Ulpian* had done before. These things he expresseth in his first Preface before his Digests, and in those that follow, which being two other in number, are by us to be considered at their proper time, and not altogether. But to speak in relation to these as they bear it one to another, the Mandate for making the Digests was dated on the eighteenth before the Calends of *January*, in the Consulship of *Lampadius* and *Orestes*. And how much time did these Collectours now take to themselves? *Baldwin* thinks that if the *Decemviri* took a whole year for Composing the ten Tables, and another for adding the other two, those sixteen men might well have required twenty for Collecting and digesting of the Pandects. And it might have been wished they had done it, the nature of the work requiring it.

51. But they spent not therein the space of three years. For *Justinian* confesses, that in three years three Volumes of the *Roman* Law were compiled, viz. The Code, Digests and Institutions, whereas it was thought they could not be finished in ten years time. Now the Code was published long before the Pandects were begun, on the Ides of *April*, in the Consulship of *Decius*. In the following year *Lampadius* and *Orestes* were Consuls, and not long before the end of the year he first commanded the Pandects to be composed, and after their composition, some time was required to his reading and considering of them, which he affirms. Now they were published and confirmed on the seventeenth of the Calends of *January*, in the third Consulship of *Justinian*, which was but three years after the Mandate for their composing. And in the month of *November* before them, were published the Institutions, the third Volume he meaneth. The thing it self indeed sufficiently declareth that there was too little time taken for collecting and revising such Volumes. It was a matter of greater consequence than to be so huddled over, especially a perpetual Standard of Law, being to be delivered to Posterity, which now complains, as *Baldwin* makes it speak extravagantly, that not so much Laws as Croffes or Difficulties are left unto it. But so it was: On the seventeenth before the Calends of *January*, he directed an Edict inscribed with glorious Titles, under the name of *Cæsar*, *Flavius*, *Justinianus*, and with Additions from People as it were Conquered by him, though he had never fought with them, or had no cause to boast of Conquest, as some of them by way of capitulation afterward affirmed. But he styles himself as having subdued the *Alamans*, *Alamanicus*, and so for like reasons *Gothicus*, *Francicus*, *Germanicus*, *Anticus*, *Alanicus*, *Vandalicus*, *Africanus*. How far these Additions might be truly assumed by him appears by his History. To them he adds the usual Epithetes of *Pius*, *Felix*, *Inclutus*, *Victor* and *Triumphator*, *semper Augustus*, and directs his writing to *Theophilus*, *Dorotheus*, *Theodorus*, *Isidorus*, *Anatolius*, *Thaleleus* and *Gratinus*, illustrious Antecessors. As also to *Gulamus* the most Eloquent Antecessour.

52. "In the Edict he first declares all the Law of the Commonwealth, now to be purged and compiled, viz. in the four Books of Institutions or Elements; in the

The Digests to follow the order of the *Edictum Perpetuum*, how they do it.

How small a time was taken in compiling them.

Vide Notes at Prefat. prim.

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He prescribes Rules for teaching of Law by an Edict.

Anciently what was wont to be read the first year.

What the second.

What the third.

How they ended.

What he will now have taught the first year.

What the second.

"the fifty of Digests or Pandects, as in the twelve of Imperial Constitutions. That he had also by his Edicts both in the Greek and Latine Tongue declared what was convenient thereupon. But now he had thought fit to direct another Discourse to them, for the information of them, as well as other Antecessors, what Rules he would have observed, for the most commodious Institution of Students in this Science or Mystery. He makes it utterly out of doubt, that it is necessary first to read the Institutions, and those that deliver the first rudiments of the Science. Of the fifty Books of Digests, he judges thirty and six onely to suffice for their Exposition, and the Instruction of Youth. He puts them in mind, that formerly from out of such a multitude of Laws, as made up two thousand Books, and thirty hundred thousand Verses, Students onely were instructed in six Books, and those confused and containing but few profitable Laws, the other being now out of use, and not to be come by. In these fix Books were the Institutions of *Gaius*, and four singular Books. The first treated of the ancient way of Marriages, the second of Tutorships, and the third and fourth of Testaments and Legacies, and these not in order, but passing by many parts. This was the Task of Students of the first year, not according to the method of the *Edictum Perpetuum*, but out of order and without choice. In the second year after a preposterous manner, the first part of the Law was delivered to them, some certain Titles being taken from it. After a course of Study made up by parcels, and unprofitable in great measure, other Titles were delivered to them as well out of that part intitled *De Judiciis* by piecemeal, as out of the other *De Rebus*, seven Books being laid aside as not proper to be taught. In the third year, that which had not been delivered in the second out of both Volumes, *viz. De Rebus* and *De Judiciis*, they received according to the vicissitude of them; and a way was opened to them to the most sublime *Papinian* and his Answers. Of the nineteen Books of these Answers they received onely eight; neither was the whole Body of them delivered to them, but a few out of many things, and most brief out of most large, so as they might go away from them with a thirst. These things above being delivered by Professors, the Answers of *Paulus* they read by themselves, and them not all, but in an imperfect and inconsequent course after a kind of ill Custom. Hence they passed into the fourth year, and therewith made an end of their Study; so that upon Count, one might find that out of so immense a multitude of Laws, they read scarcely sixty thousand Verses, all the rest being impassable to them and unknown, and then not to be made use of but in the least part, as often either as the practice in the Judicatories required it, or they the Masters of the faculty halted to read something out of them, to have more advantage in the skill of their Scholars. Such he saith had been the monuments of the ancient Learning, for which he appeals to their Testimony.

53. "And finding such a penury of Laws, as also judging it a most miserable Case, he is resolved to open the Treasures of that Science, to such as are willing to receive them, being prepared in some measure by the skill of those to whom he directs this Letter, that they may become most able Orators in the Faculty. In the first year he will have them fully skilled in his Institutions, which had been consumed out of the Bodies of almost all others that had been before them, and from all impure Fountains drained into one clear Receptracle by *Tribonian* the *Vir Magnus*, *Esqueator* of his sacred Palace, and Exconsul, and two of their number to whom he writes, *viz. Theophilus* and *Dorotheus* most Eloquent Antecessors. For the remainder of the year, he ordains that Students have the former part of the Laws delivered to them, which by the Greeks was called *πρώτη*, which should finish, as the other begin, their Studies for the first year. Such as had been Auditors for this year, should not be called by the wonted name, as well frivolous as ridiculous, of *Dupondii*; but *New Justinians*, which he thinks fit to ordain for all time to come, as befoming the Reformation of Laws he had made, the first Volume of which was to be put into their Hands. In the second year, during which they should bear the Name formerly imposed by Edict, he will have them study either seven Books *De Judiciis*, (from the fifth to the eleventh,) or eight *De Rebus* (from the twelfth to the nineteenth,) as the vicissitude of time shall indulge them, which he will have preserved inviolable, and without skipping or omitting any thing in the said Books, which now were all graced with new beauty, nothing unprofitable, or what was out of use, being to be found in them. To either of the foresaid Volumes he will have added, to be taught in this second year the four *Libri singulares*, which he saith he had collected out of the whole composition of fourteen Books, *viz. one out of three Volumes which* had

Professors, secundum de Digestum.

Ad titulum usque de honorum poff.

Dupondium dua drachma Dupondii ergo duorum quasi drachmarum studii, i. e. vicissim et mutue pte.

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What the third.

What the fourth.

And where.

"had composed *De Rebus*; one out of two which treated *De Tutela & Curatio-nibus*; one from two others concerning Testaments; and from seven Books handling the matters of *Legata* and *Fideicommissa*; also one of those four Books placed at the beginning of the aforesaid compositions, he tells these Masters that he would have onely taught by them, the other ten being reserved to a convenient time, it being impossible that in the space of the second year, these fourteen Books should be read by them, and digested by their Scholars.

54. "In the third year, whether it happens that they read the Books *De Judiciis* or *De Rebus*, with them he will have to concur the Tripartite Disposition of the *Leges singulares*, and in the first place that concerning *Hypotheca*, because being so near a-kin to Actions concerning Pledges, they may be joynd near together. After this he would have another added concerning the Edict of the *Ediles*, and the Action called *Actio Redhibitoria*, concerning Evictions and the stipulation of Double, composed by him, because they are near a-kin to the Doctrine of Sales, treated of in the former Edict. Those three Books he will have joynd with the reading of the most acute *Papinian* Students, being wont to read them in their third year, but not intirely, but a few scraps taken out of them. And he again recommends *Papinian* to be read by himself, of whom he saith excellent use was made in the Composition of his Digests, not onely from his Answers which were divided into nineteen Books, but also from his seven and thirty Books of Questions, his double work of Definitions, as also concerning Adulteries, and from all his writings almost. And left the Students or Auditors of the third year whom they called *Papinianistae*, should seem to lose his Name and Festivity, he is again introduced into the third year by a most brave device, for *Justinian* had composed his Book of Hypothecary Actions, out of the writings of the said *Papinian*, that both they may have a Name from him, and be called *Papinianistae*, may rejoice at the memory of him, and may observe that Festival day, which they were wont to keep when first they took his Laws into their Hands, and that by this means the memory of that most sublime *Præfatus Priorius* may continue for ever. With this the Audience of the third year should be concluded.

55 "And because the Students of the fourth year were wont by a Greek word to be called *Lyti*, he will have them if they think fit still to enjoy it. But instead of the Answers of the most prudent *Paulus*, which they read confusedly, having reduced them from twenty three scarcely to eighteen, they should study the ten *Libri singulares*, which remained of the fourteen lately mentioned by him, out of which they should draw he affirms greater Treasures of skill, than out of *Paulus* his Answers. If so be they well improved their time in these things, and in the fifth year wherein they were named *Prolytae*, both read and subtilly endeavoured to understand the Code of Constitutions, nothing would be wanting to them of just and fit knowledge, and this Service of theirs would obtain a wonderful Accomplishment, which scarcely happened in any other though the measurest Art. He ordains then that these Scholars of theirs (*Discipuli*) shall have all secretes opened to them, and nothing hid, but all being thoroughly read and made known to them, which had been compiled for him through the Service of *Tribonian* and others, they might be found to be the greatest Orators, and the *Satellites* of Justice, the best Champions of Equity, and most happy Governors in every Place and Age. Now these three Volumes of his Compiling, he will have delivered to Students in the two Royal Cities (of *Rome* and *Constantinople*), and in the most beautiful City of *Berytus*, (which justly might be termed the Nurse of the Laws,) and in them onely, as had been formerly ordained by Princes, not in other places which had not obtained such privilege of old. For he had heard that in the most splendid City of *Alexandria*, in *Cæsarea* and other places, some unskillfull men wandered about, and delivered adulterate Doctrine to their Disciples, whom now by threatening he repells from such their Endeavours; and if they shall dare for the future to doe any such thing in any such places, he punisheth them with a fine of ten pounds of Gold, and orders that they be cast out of that City in which they do not Teach, but offend against the Laws. After this he prohibits the *Sigla*, formerly mentioned under pain of paying to the owner double of the price if he know nothing of the thing; and if he will have such a Book it shall signify nothing, and no Judge shall allow any Pleadings, or Quotations to be made out of it. Then he severely forbids all Students of the Laws, both at *Constantinople* and *Berytus*, to act any Plays wherein the Antecessors or Novices are reflected on, it behoving, he saith, first their Souls and then their Tongues to be learned. The Power and Care of observing these matters, and punishing both

i. e. Salvandus Juris questionum titulus.

i. e. Lyti dicitur vel ex præfata lege studiorum soluti, vel qui possunt Juris modis et legum enigmata solvere.

Sect. 2.

To whom he
commits the
care.

Bookfellers and Students, he commits in *Constantinople* to the High Prefect there-
of; in *Berytus* both the *clarissimus Praefes* of Maritime *Phoenicia*, the most blessed
(*beatissimus*) Bishop of the said City, and the Professours of the Laws. He concludes
with this Exhortation: Begin then to deliver to them, with God's Government,
the Doctrine of the Laws, and to open to them the way which we have found out.
That fo they may become most excellent Ministers of Justice, and the Common-
wealth, and the Teachers may be most highly honoured in all Ages. For that in
their time such a change of Laws was found out, as in *Flomer*, the Father of all ver-
tue, *Glaucus* and *Diomedes*, make betwixt themselves, changing things very unlike,
for which he quotes a verse out of that ancient Poet. These things he will have of
force in all Ages, both of Professours, Students, Bookfellers and Judges, to be ob-
served. Dated on the seventeenth before the Calends of *January*, Our Lord *Jus-
tinian*, perpetual *Augustus*, the third time being Consul. A. D. DXXXIII.

On the same day he directs two other Edicts to the Grand Senate.

56. On the same day we find two other Praefaces or Speeches dated, one whereof is directed to the Senate, and all People, in Latin, and the other in Greek is inscribed also by *Cicinius* to the Great Senate. ' Herein he signifies, that he had composed the *Persian* War, as also that of the *Vandals*, which Nation he had subdued, and rejoined *Carthage*, and all *Libya*, to the *Roman* Empire; and then magnifying what he had also done about the Laws, gives an whole account of the several Works he had ordered to be compiled, declaring what their particular Parts and Books were, and of what Subjects, as also whence they were taken, suitably to what hath been already related. And he calls upon the Fathers of the Senate, and all the Men of the World, to give Thanks to God for referring to great a Benefit for their times. He declares he will have his Volumes of Institutions, or Elements, of Digests or Pandects, to be of force, from his third Consulship of the present twelfth Indiction, the third before the Calends of *January*, together with his Constitutions in all Ages. Which third Consulship, he saith, by the help of Christ, had been most happy, in respect that the *Parthian* Wars were ended, a perpetual peace was made, and a third part of the World added to his Dominion. For, after *Europe*, both *Asia*, and all *Libya*, was joined to his Empire, and a conclusion was put to so great a work of the Laws; all which heavenly Gifts were indulged to his third Consulship. In conclusion, he commands all Judges to receive these his Laws within their Jurisdictions: And especially he ordains, that the Prefect of *Constantinople* observe them. The three *Prefects Prætoris* of the *East*, *Illyricum* and *Libya*, he requires to take care to make them known to all that were within their several Districts.

His Preface to
his Institutions.

57. We mentioned the Institutions (that we may now speak of them altogether) their being published in the month of *November*. Before the Book we find a Preface, directed by *Julstinian*, with the usual swelling Titles, to the Youth that had a desire to understand the Laws. He begins with telling them, 'That the Imperial Majesty ought not only to be adorned with Arms, but also armed with Laws, that so the Government may be fit both in times of War and Peace, and the Roman Prince may not only be Victour in Battels fought with Enemies, but also by legal Proceedings, expell the Iniquities of Delinquents, and may as well be most religious in Laws, as magnificently triumphant in the Conquest of Enemies. Both these Courses, he faith, he had run, and that to perfection, through his great Watches and Forecast, by the help of God. His sweat and toil in Wars the Barbarous Nations, brought under his Yoke, sufficiently knew; and as well *Africa*, as other innumerable Provinces, after such spaces of time, being again added to the Roman Dominions, and his Empire, did protest. All People now are governed by Laws promulgated and composed by him. After he had put into due order, and made to agree, the most sacred Constitutions, which before were confus'd, he extended his care to the immense volumes of ancient Prudence, and had by heavenly favour, travelling, as it were, through the middle of the Deep, brought a desperate work to conclusion. This being, by God's favour, perfected, he called to him the Magnificent *Tribonian*, *Magister*, and *Ex-questor* of his sacred Palace, together with the illustrious *Theophilus* and *Dorotheus*, Antecessours, (The notable wit of whom, together with their knowledge of the Laws, and fidelity in observing his Commands, he had had experience of in many respects) and had specially commanded them, by his Authority, and at his Instance, to compose Institutions.

58. ' Hereby they, (the Youth) he faith, may learn the first Rudiments of the
' Laws, not from ancient Fables, but, as he words it, fetch them from Imperial
' splendour; and their Ears and Minds may receive no unprofitable nor idle thing,
' but

Χρύστα γαλακίου
ἑκαπν Βόια ἐν
νεαβοίων.
Aurea areis cen-
tena novenatis,
Iliad. 6.

CHAP. II.

but what lies in the very Arguments of things themselves. And what happened
 to them that were before them scarcely after four years, viz. to read the Imperial
 Constitutions, they may now enter upon at the very beginning, being worthy of
 such Honour, and found in such Felicity, that both the beginning and end of the
 Laws to them should proceed from Imperial voice. Therefore after fifty Books
 of Digests, or Pandects, (which were compiled indeed, but as yet not published,)
 wherein all ancient Law was collected, and which he had dispatched by the in-
 deavours of the said High *Tribonian*, and the Illustrious Persons, he had comman-
 ded the same Institutions to be divided into four parts, that they might be the
 first Elements of the Mystery of the Laws. In them, he saith, was briefly declar-
 ed, both what formerly obtained, and what was grown out of use, and rendered
 obscure, was illuminated by an Imperial Remedy. Which Books being compiled
 out of all the Institutions of the Ancients, and especially out of the Commenta-
 ries of his *Caisar*, as well of his Institutions, as daily occurrences, besides many
 other Commentaries, had been presented to him by the aforesaid three prudent
 Persons, and having read and considered of them, he had accommodated to them
 the most full force and strength of his Constitutions. He concludes thus: Re-
 ceive therefore these our Laws with all Industry and Charity; and shew your-
 selves learned therein, so as fair hope may cherish you, that after the whole work
 (of study) is completed, our Commonwealth may be committed to your Trust;
 and Government in the several parts thereof. Given at *Constantinople* the Eleventh
 before the Calends of *December*, Our Lord *Justinian* Father of his Country, *Audite*
salute, the third time being Consul.

**He still goes on
with new Laws**

59. Such is the Account (though in an Asiatick, rude and difficult style to be interpreted,) we have from *Justinian* himself concerning the composing of his Digests and Institutions, about which, while he and his Compilers busied themselves, they were not otherwise idle, as to such matters, but continued the former course of daily adding new Laws. Of these the Reader, if he please, may consult *Baldwin*, and we shall touch at some of them as they best serve our purpose. He was continually consulted, in some point or other, by the Judges or Advocates of the Provinces, as particularly in the beginning of the year that came next after the Consulship of *Lampadius* and *Orestes*, by the Advocates of *Cæsarea* in *Palestine*, about a matter not fit for our relating. In *February*, on the tenth before the Calends of *March*, he took away the difference which formerly had been manifold, betwixt a *Legatum* and a *Fideicommissum*, and whereas formerly there was some agreement betwixt them, he now commands that it be perpetual. Hereby the Law of *Fideicommissa*, which began in time of *Augustus*, was perfected by him; and that of Legacies, which had been ancient, but narrow, was much amplified. Formerly the difference betwixt a *Legatum* and a *Fideicommissum*, was this: A *Legatum* was expressed by Imperative words, and *Fideicommissa* by Precative. Imperative were accounted Direct and Civil, as *Do, Lego, Capito, Sumito, Heres esto*. Precative were such as these, *Rogo, Peto, Polo, Mando, Cupio*. Formerly he had taken away the old forms of Words in Legacies; now he will have no difference to be made betwixt the form of a *Legatum* and a *Fideicommissum*, and he ordains, that there with whatsoever significant word expressing the Will and Pleasure of the Testator, a thing is left, it shall be valid, whether it be in Imperative or Precative words; and he adds, that it shall be the same if the Testator use an Obsecration, which, because he invoked Almighty God, is termed an Oath, and was upon such occasions wont to be used by the *Romans*, being called otherwise from the Greek word, *exorcising*, which was a term used also by Christians in those times.

Where the Difference formerly lay.

60. The sum of the whole Difference betwixt a *Legatum* and *Fideicommissum* lay in this, that in the latter only the Will and Pleasure of the Testator was regarded, but in the former subtilty of Law, for that the *Legatum* proceeded from the Law of the Twelve Tables, as did the Testament, and the *Fideicommissum* was received *ex aequo & bono*. A *Fideicommissum* might formerly be left by nodding or signs, in the Greek Tongue, which a *Legatum* could not be; nay in the Punick or Gallicane, which, by this Law of *Julianian*, must be interpreted to be extended to the *Legatum*, which in like manner might be left by one dying inteflate, and by the posthumous Son of a Brother; and by a Legatory both a *Legatum* and a *Fideicommissum* might be left, though formerly a *Legatum* could not. Both before the Institution of an Heir, and after the death of an Heir, or Executor, both might now also be left, though formerly a *Legatum* could not. And whereas a *Fideicommissum* could not be fued for in form, but by extraordinary cognizance, *Julianian* would not only have it recoverable by ordinary Action, but also as in case of

Sect. 2.

De Jure Naturae
lib. 3.

*of L. Communia de
legatis, Cod. lib
a 6, tit. 43.*

as 'Εξορίζω.

SECT. 2.

He gives full scope of words in disinheriting.

Legata, granted all three Actions, viz. Real, Personal and the Hypothecarian. But so great a Friend *Justinian* was to liberty, in making Testaments, that he also made free from restraint of words the manner of disinheriting, a matter wherein good caution seemed to be requisite, as being averse to the course of Nature. On the same day he decreed, that if any one disinherited his Son in these words, *Let that Son of mine be a stranger to my Substance*, he should be esteemed not past by (in which case he might have relief,) but disinherited. He gives this as a Reason or Advice: *When the sense of the Testator is most manifest, never let the Interpretation of words so much prevail, that it be better than sense, or meaning it self.*

L. 3. De liberis pateris vel tr. hereditat. Cod. lib. 6. tit. 28.

61. This year was indeed fruitful of Laws made for regulating the ancient *Juriprudencia*, and especially the month of *April*, which would furnish us with store, but not proper for an History, which being written in the English Tongue, and for the English, it is most proper to make choice only of such Constitutions as, with the discovery of the Legistatour's design of altering the Law, may best suit with the Knowledge, Customs and Genius of our Nation. There had been formerly a mighty contention, not only betwixt the old Lawyers, but Princes themselves, in their Edicts, concerning the Efficacy and Force of a disjunctive word, and this difference on the last day of the month, if he did not decide, he resolved to remove, cut and take quite away. Sometimes it was written, *He, or he, be mine Heir; To him, or him, I give, bequeath, or I will have given; Him, or him, I will, or command, be, or to be, a Tutor.* It was controverted whether such Institution, Legacy or Assignment of a Tutor was good. Whether should be understood to be meant, the former, or the latter; or whether he who had Possession should be thought to have the best right. So many and so various Opinions were held about this matter, that *Justinian* saith, *No small Book might have been filled in the bare reciting of them.* He therefore thought fit to end the Controversie by determining, that *Aut*, in this Case, should be taken for *Et*, the disjunctive be received as a conjunctive, so as both should be Heirs, or Legataries, in equal shares, as if it had been written, *He and He.* *Paulus* indeed, the Lawyer, speaks in the Pandects of Disjunctives and Conjunctives, that they are after put one sort for the other. And it may be so; but however this Decision of *Justinian* was new and extraordinary, and seemed to some not to agree fully with the mind and meaning of a Testatour. But in a dubious and perplex Case he followed what he thought most equal, and chose rather to give to both, than all to one, and nothing to the other. In this partition betwixt them he judged less inconvenience and hardness to lie.

Ille aut ille mihi heres esto. Illi aut illi duo, legi vel dari volo, ut illorum aut illorum liberum aut tutorem esse volo. L. 4. De v. s. rum & Rerum significatio. Cod. lib. 6. tit. 28.

He ordains that a disjunctive word shall be taken for a conjunctive.

62. He began the month of *September* of this Year by correcting, as he saith, a very great fault of the ancient Subtlety, as to Law. This Subtlety, he tells us, thought fit that there should be one sort of Law for Males to succeed their Parents by Testament, and another sort of Law for Women, though in succession to those that died intestate, there lay one common and equal Right to both Sexes. Of old they held and ordained, that with one sort of words a Male, and with others a Female should be disinherited. In reference to the disinheriting of Grandsons, sometimes they introduced the Civil, and sometimes the Pretorian Law. And if a Son was disinherited, *ipso jure*, he either nulled the Testament, or was admitted to the whole possession of the Estate, contrary to the Will; but if a Daughter was past by, she had the *Jus accrescendi*, and did not break the Testament, by which she did in part, as it were, break her Father's Will in the same moment, and as if she had been mentioned therein, was placed after Legataries, yet, by the Pretorian Law, she had an intire possession of the Estate, contrary to the Testament. Now a Constitution of the great *Antoninus* did in so much hinder and straiten the Daughter, as she had advantage by the *Jus accrescendi*. But these Law-makers *Justinian* accuseth, as Accusers of Nature her self, in that she did not make all Males, and none of which they should be begotten. Now he pretends to follow the example of the more ancient Romans in correcting this Error. For he saith Sons and Daughters, and all others, were disinherited alike, till the *Centumviri* (who were Judges in Testamentary and Hereditary matters) brought in the difference, whereby it came to pass, that a Daughter that was passed by had less than a Daughter that was disinherited. He determines therefore, that a Daughter shall have no less right than a Son, either to break the Testament, or to sue for the Possession of the Estate against the Will. He also will have posthumous Daughters to be disinherited, as if they were Males, and no otherwise, that they may not be esteemed as passed by. And what he ordains concerning Daughters, he will also have extended to Nephews and Nieces by a Son.

He makes Daughters equal with Sons as to Testaments.

63. But it is observable, that on the first day of *November* of this Year, he delivered the Law and Lawyers of much trouble, by taking away the ancient Ceremonies

He takes away the ancient Ceremonies about Adoptions.

Adoption and Arrogation how of old they differed.

How celebrated.

Arrogation in the Comitia ceased long before Justinian.

He takes away the old formalities in Adoptions.

monies about Adoptions. Here it will be convenient, from *A. Gellius*, to inform the Reader what the ancient Rites and Differences of this thing were, in old times observed. When Strangers, saith he, are taken into another family, and into the place of Children, it's either done by the *Praetor*, or by the People. That which is performed by the *Praetor* is called Adoption, that which by the People, Arrogation. They are adopted, who by the Parent, in whose power they are at present, are by three Mancipations, or Sales, parted with, and by him who adopts them are challenged, and recovered before him, in whole Court lies the Action at Law. Such are arrogated, who not being in any paternal, but their own power, and at liberty, voluntarily give up themselves into that of another man, and are authors of this change themselves. But these Arrogations are not lightly, nor without scrutiny, celebrated. The *Curia Comitia* are not granted, though the *Pontifices* preside. And it is considered whether the Age of the Person that arrogates be not fit and proper it self to beget Children, and whether the Estate of him who is arrogated be not aimed at, and treacherously designed. Moreover it's said, that an Oath was conceived by *Q. Mutius*, then *Pontifex maximus*, to be taken in Arrogation. But one cannot be arrogated that's under a *Vesiceps*, (so he calls him) or one who takes his virile Gown. Now because this sort called Arrogation, whereby one passed into another family, was performed per *Rogationem Populi*, or asking leave of the People; the words of it were these: *Please you to will, or command, that L. Valerius* (for example) *shall become Son to L. Titius, as well in Law, and Right, as if he had been begotten by that Father and the Mother of the Family; and that he may have Power of Life and Death over him, as over a Son born.* So as I have said, so I desire of you, Quirites. But neither a Pupil, nor a Woman, can be arrogated, though the be in the power of her Parent; for the *Comitia* meddle not with Women; and for Tutors, it is unlawful for them to have so much Authority and Power over their Pupils, as to subject a free Person, committed to their Trust, to the Power of a Stranger. Now *Maffurius Sabinus* hath written, that *Libertini* might be adopted by Persons of ingenuous or absolutely free condition in strictness of Law; but he saith it is not permitted, neither doth he think it ought ever to be, that those of the state and quality only of *Libertini*, should invade the Right of *Ingeniti* by the way of Adoption. Otherwise, saith he, if the Antiquity of the Law should be observed, a Slave at-
to should, by intervention of the *Praetor*, be given by his Lord to be adopted; which most of the Authours of the ancient Law have written might be done.

64. So much, and something more, writes *A. Gellius* concerning this matter. Now *Baldwin* observes, that these difficulties of Arrogation, as he terms them, in the *Comitia*, were taken away long before the time of *Justinian*. For *Dioclesian* declared, that an Arrogation made by the Indulgence or Grant of the Prince, and intimated before the *Praetor* or President, should be full as valid, as if it had been done according to the ancient Law by the People. But the ancient Rites of Adoption longer continued. *Gellius* writes what these were, viz. three Mancipations, or Sales, and Recoveries before a Magistrate; and *Suetonius*, before him, of *Augustus*, that he bought *Caius* and *Lucius* at his Houle, by Money and Weigh-scales, of their Father *Agrippa*. First, because the natural paternal Power was to be dissolved, the Rite of three Mancipations intervened. Then because this was done for the cause of Adoption, the Party was not manumitted, but adopted, after three Mancipations. But now whereas *Justinian* had formerly determined, that the Power of a Natural Father should not always be dissolved by Adoption, and *Anastasius* had before that resolved, that without any other Ceremony a Son might be emancipated by the Rescript of the Prince, it had been ridiculous and absurd to retain the ancient form of Emancipation in Adoptions. Therefore on the first day or Calends of *November*, he took away the whole Pageantry of the ancient Emancipation, by abolishing the imaginary Sales, or Mancipations, wherein he signifies, that Manumissions and certain *Rhapsinata* intervened.

65. The same day of the month, of the foregoing Year, when *Lampadius* and *Orestes* were Consuls, he had taken away, as he terms them, the old Circuits in Adoptions, which were wont to be made by three Emancipations, as to Sons, and two Manumissions, or by one Emancipation in other children. And he gave leave to a Parent, who desired to give away by Adoption Children in his Power, to manifest this thing before a competent Judge, by the way of registering, without the old Observation of Emancipations and Manumissions, he being present who was adopted, and not contradicting, as also he who should adopt him. Now on that day twelve month after, or the Year whereof we write, he signifies

SECT. 2.

Lib. 9. c. 19.

Adoption Arrogation

L. ult. de Adoptionibus. Cod. lib. 8. tit. 48.

Sect. 2.

And the ancient Circuits,

nifies to John, the *Præfatus Prætorio*, 'That having beheld in Emancipations a vain Observation, to be kept with Sales, figured upon free Persons, inextricable Circumductions, and injurious *Rhapsimata*, of which no rational effect is found, he will have this sort of Circuit to cease for the time to come, and gives leave to him that will emancipate, either to do it according to *Anastasius his Law*, or without a sacred Rescript, to go before a competent Judge, or such Magistrates as by Law, or long Custome, were permitted to doe this thing, and to dismiss from his hand his Sons, Daughters, Nephews, Neeces, or such Off-spring descending as were in his Power, and to retain his legitimate Rights, although he did not specially reserve any to himself; to give the *peculium*, or transfer other things upon them in way of liberality, to detain other things by the way of *Usufructus*, and doe all other things, the vain Custome, as was said, being onely taken away. The Custome was, that the Son was thrice fold by his Father, and, as it were, sold back to him again, that he might manumit him, being redeemed, as a Lord did his Slave, and thereby have over him the right of Patronage. This was called *Fiducia*. The *Rhapsimata*, some think, were Cuts on the Ear, wont to be given to Slaves at their Manumission, as a Ceremony; others, that they were stroaks given by the *Vindicta*, or Rod of the *Prætor's* Lictor. Five Witnesses were to be present at the imaginary sale, with the Weigh-scales and Money ready. But *Justinian*, by removing those Ceremonies, which, in the time of *Romulus*, and the twelve Tables, were thought convenient, delivered the *Imprudencia* from many Thorns and Briars, if *Tribonian* had not dispersed their Stumps and Pricks into the Digests, by inserting into them several remainders of these abolished Rites. So short was his memory or diligence in this and many other matters, as *Baldwin* sufficiently discovers.

He took away the *Dedititia Libertas*.

66. Certainly our Legistatour laboured much in things of this nature, as appears, amongst other Instances, from another Law he published this very day. He had formerly taken away that shadow of liberty, called *Dedititia Libertas*, declaring, It should no more for the future molest the Commonwealth; because it was of no use, but was onely an empty name of liberty. For he, he saith, who was an observer of Truth, would have those things onely to be in his Laws, which indeed were real. Such as had this liberty had little benefit, for they could neither make a Testament, nor receive any thing from one, be reduced to the former City, nor be made Heirs. Having abolished these *Dedititii Liberti*, the liberty of the *Latini*, as also imperfect, as settled upon uncertain foundations, did, he saith, reel and stagger, having at first been brought up in a tumultuary and confused manner. For the *Latini Liberti* seeming to have been introduced after the manner of the ancient Latinity, sent in Colonies, it were very absurd the Original it self of the thing being taken away, to have an Image or Representation thereof continuing. Now whereas after several Fashions, and almost innumerable, the condition of these *Latini* was introduced, diverse Laws and *Senatusconsulta* made thereupon, and thence many difficulties did arise, as well as by the *Lex Junia*, the *Senatusconsultum Lærgianum*, and the Edict of *Trajan*, of which Law-Books were full, but no good Experiment had been made; he now thinks fit to cut off all these things, and to reduce the Latine liberty by certain methods into the perfect *Roman*. For how can it be endured that there should be such a kind of liberty, as by virtue of it, at the time of death, liberty and servitude should concur in the same Person; and that he that dies should, dying as free, be snatched away, both into servitude and death, at the same time? Hereby it appears what a sort of liberty this of the *Latini* was, and it will be convenient to observe, what this our Legistatour tells us elsewhere in his *Institutiones*, that the state of *Libertini*, or such as were made free, was of three sorts. For such as were manumitted sometimes obtained the greater liberty, and were made *Roman Citizens*; sometimes the lesser sort, and were made *Latini* by the *Lex Junia Norbana*, and otherwhile were onely *Dedititii*, by virtue of the Law called *Lex Ælia Sentia*.

And the Latine Liberty.

Three sorts of Liberty formerly.

One became Roman Citizens,

Another Latine,

A third *Dedititii*.

67. *Roman Citizens* were made, either by the *Vindicta*, or by the *Census*, when they were inrolled, at the command of their Lords, in the Books of *Cesse*, or were manumitted by Testament. Or, as others have expressed, who by Testament in the Church, or before the Consul, received this favour. These could both make a Testament, and succeed in an inheritance, by virtue of one made. The *Latini* were made either by an Epistle, amongst Friends, or even at an Entertainment or Banquet. These could neither make a Will, nor succeed by virtue of one, but by a second Manumission might become *Roman Citizens*. Now the *Dedititii* were such as had been subjected to punishment after Crimes committed; for the same

L. ult. de Emancipationibus, lib. 1. tit. 49. D. de C. N. Conf. p. 1. C. de Emancipationibus, lib. 1. tit. 49. D. de C. N. Conf. p. 1. C. de Emancipationibus, lib. 1. tit. 49. D. de C. N. Conf. p. 1.

L. un. de Dedititia libertate, lib. 1. tit. 5. D. de Emancipationibus, lib. 1. tit. 49. D. de C. N. Conf. p. 1.

L. un. de Latini libertate, lib. 1. tit. 5. D. de Emancipationibus, lib. 1. tit. 49. D. de C. N. Conf. p. 1.

Instit. lib. 1. tit. 5. de Libertinis. Vide notat.

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publicly beaten, or in whose Faces or Bodies such marks were made by Fire, or Iron, as could not be defaced, who had been bound in Chains, in way of punishment, by their Lords, been found guilty, watched and observed, and who had been delivered up, that they might combat with the Sword, or with wild Beasts, or had been thrown into Custody. These could neither make Testaments, neither receive benefit by one, nor be made Citizens. They were called *Dedititii* from the example of *Stranger Tributaries*, who, being Rebels, were overcome by the *Romans*, and basely did dedere, or give up themselves into their Power. But to come nearer to the *Latini*. They were also called *Latini Liberti*, as *Baldwin* will have it, who were not manumitted altogether after the legitimate manner, and in solemn order; not by a Lord who was above twenty years of Age, one who was Lord *ex Jure Quiritum*; or when the Party manumitted did not exceed the Age of that of thirty. Yet whatever others say, he delivers it as Law, that being manumitted, they enjoyed such liberty, as to have *Commercium*, and a right of receiving advantage from a Testament, though they had no *Connubium*, or privilege of Matrimony, nor could make a Testament, nay, indeed dyed as Slaves. This descended from the Law called *Junia Norbana*, preferred in the time of *Tiberius* by those who were then Consuls. Thence they were called *Latini Juniani*. But that Law, and its Interpreters, signifie, that many ways these *Latini Liberti* might be made *Roman Citizens*.

Justinian takes away all troubles and difficulties about Liberty.

69. *Suetonius* relates how *Vespasian* married a Woman of *Latine* condition, being by a recuperatory Judgment pronounced ingenuous, and of free condition. Indeed such were easily made *Roman Citizens*, so at least as they enjoyed the privilege of *Quirites*, as long as they lived; and that they might not trouble themselves in obtaining it, afterwards *Trajan* conferred on them the *Jus Quiritum*, as long as they lived in general, or permitted them to enjoy it, though their Patrons being unwilling, or ignorant of it, they had procured to be Citizens; but for all this, so as they should die as Slaves. Afterward the *Senatusconsultum Lærgianum* was made in the time of *Antoninus Pius*, that the *Latini Liberti*, who were manumitted at full Age, and by a Lord that was at full Age also, as was provided for by the Law, called *Lex Ælia Sentia*, although not solemnly, as by the *Vindicta*, or Testament, might be made *Roman Citizens*, and dying, might enjoy the privilege of a Citizen, otherwise they could not make a Testament, as in the time of *Salvianus of Marcellus*, an hundred years before *Justinian*, they could not doe. At length, now this Emperour took away all these troubles and difficulties, and would own no other Liberty but what was joined with freedom of a Citizen. And afterward, as some have thought, by his Seventy eighth Novel Constitution, he would have all that were manumitted, not to be of libertine, but full, free and ingenuous condition. By this Law of which now we treat, he ordained, that Liberty it self should be conferred several ways, wherein the *Latine* Liberty was wont to be bestowed. For example, a Lord might manumit his Slave by an Epistle, provided it were attested by five Witnesses. He might doe it also amongst Friends, if he took five Witnesses, or did it *apud Aila*, and had the testimony of Witnesses and publick Persons.

70. *Claudius*, the Emperour had of old made an Edict, that if a Slave were in some grievous Infirmary, forsaken by his Lord, who would neither look after him himself, commend him to others, nor send him to an Hospital, such Slave should enjoy the *Latine* Liberty, yet so, as his Lord at his death seized on his Goods. Now *Justinian* ordains, 'That a Slave so used shall be absolutely free, and his former unkind Master shall have nothing to doe with his Estate, either when he lives or dies. In like manner a She-Slave, if sold on condition not to be prostituted, if she be by him that buyes her, or her former Lord, reserving to himself a way of recovery, prostituted afterward, she shall obtain full Liberty and Franchise. Farther, whereas a *Pileus*, or Cap was used by Slaves manumitted, as a Badge of Liberty, he farther ordains, that such Slaves, as at the Funeral of their Lords precede the Corpse, or stand in the Bier, so as to ventilate the Body, and that by order of the Testatour, or the Heir, shall presently become *Roman Citizens*; whereas formerly an entrance upon an Inheritance was necessary, as well as the Cap, for making free those *Libertini Orcini*, as they were called. If one by Will, or by the other course of the *Vindicta*, signified, that he would make his Slave a *Latine* Freed-man, he should, for all that obtain his full liberty. If a Lord bequeath liberty to his Slave upon a condition, and while that condition depends, the Heir, being a stranger, gives him liberty, he shall not be as formerly, a *Latinus Libertus*, but a *Roman Citizen*. If the condition failed, he should be his *Libertus*, who made

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Ways how full
Liberty might
be obtained, as
of old was the
Latina Libertas.

made him free; if the condition was fulfilled, he should be as a *Libertus Orcinus*, and the Patronage go as otherwise by Law it ought. He esteems it very hard what formerly was practised, in case a Slave upon a Controverſie and Suit was found to be such, and caſt by his Lord, that then he ſhould only be a *Latine* Freed-man, in caſe any other paid his price down to the Lord. He declares ſuch an one ſhall be a *Roman* Citizen, as alſo a *She-Slave*, given in Matrimony by her Lord to a Freeman, if the Lord by writing conſigned her a Portion, which was done for free and even noble Perſons. In like manner ſhall be free a Slave, whom *apud Alia* his Lord names his Son. A Slave alſo, to whom his Lord delivers the Writings, or defaces ſuch whereby the Slavery was proved, and made out, if it were done in the preſence of five Witneſſes. Theſe excepted, he declares, that all other ways and Methods found in any Lawyers Writings or Conſtitutions, ſhall ceaſe, and pretenders to liberty by them ſhall continue in ſlavery, as formerly. That the *Latine* Liberty may abſolutely be ſo, he repeals all Laws made concerning it, as to that particular, if mention be made of Liberty, and none of *Latinity*, it ſhall be taken for abſolute Liberty and Freedom. In concluſion, this Conſtitution ſhall take place in thoſe who ſhall only for the future be *Liberti*, or Freed-men.

Many Laws he
repealed.

The *Lex Alia*
Sentia but in
part.

71. Thus did *Justinian* both relaxate the bonds of Servitude, and open the way to Liberty; out of which good humour he publiſhed various Conſtitutions, which carry the name and form of Repeals. But amongſt theſe, none are to be found for taking away the *Lex Alia Sentia*, for though ſome Heads of that Law he took away, yet others he retained. That Law forbade, that one under twenty years ſhould manumit a Slave, except he made good the cauſe thereof before Council. *Justinian* firſt declared, that the Age of ſeventeen ſhould be ſufficient; and afterward, as appears by his one hundred and nineteenth Novel, was content with that of fourteen, wherein the man was capacitated to make a Teſtament. The ſame Law commanded, that no one leſs than thirty years old, being manumitted by the *Vindicta*, or by Teſtament, ſhould become a *Roman* Citizen. On the contrary, *Justinian* would have no conſideration of Age to be had, but that he who was manumitted might be an Infant, and thereupon yet become a *Roman* Citizen. In concluſion, the ſame Law would have a Slave; who had been bound in Priſon by the Lord, if he was afterward manumitted, to be only in the number of the *Deſtituti*, of whom we have already ſpoken, as to the repealing of this Law. There was another difference of Servitude, when one was a Slave *Jure Quiritum*, by a ſolemn Rite or Ceſſion in Law, or only by buying and ſale, which difference he alſo took away, by forbidding any Dominion but what was natural, and *Jure Quiritum*. If a Slave was given in pledge; if manumitted by the Giver, he would have him enjoy liberty, though not fully, without the Creditors conſent. If a Slave belonged to two Perſons, as Lords, if one of them manumitted him, the whole right of him came to the other, *Jure accreſcendi*, by way of accruing, yet if a Souldier did ſo manumit, his Companion was forced to ſell his ſhare in the Slave, who thereupon obtained full liberty. This *Justinian* would have alſo of force, though one who was not a Souldier did manumit, and the Slave ſhould obtain thereby his Freedom. In concluſion, he aboliſhed the uſe of the Affertion, ſo called, becauſe of old it was not lawfull for one reputed and held for a Slave, to ſue for his liberty though he had an occaſion, but by a Vindicatour, who was termed Affertour, who could act for him; and if the firſt Affertour was caſt, or deſerted the Cauſe, it was lawfull for a ſecond to take it up.

The Advocates
of *Cæſarea*.

72. This ſame day of the firſt of *November* was ſtill more fruitfull in the pro-
duction of another remarkable Law. And this was an answer to the Advocates of *Cæſarea* in *Paleſtine*, though directed to *John the Prefectus Prætorio*. *Baldwin* will have it *Cæſarea* in *Cappadocia*, formerly called *Mazaca*, which had its Society of eminent Government in the *Forum* of Lawyers, who, as *Strabo* relates, were *Tigranes* King of *Armenia* led away into barbarous Servitude; yet were as by the right of *Poſtliminium* afterward reſtored, and recovered their former Dignity. This Dignity, they and their Succellours ſeem to have retained more than five hundred years from that Accident, till the time of *Justinian*, whom they often were wont to Conſult in converted points of Law, as were other Advocates of *Paleſtine* and *Ægyptum*. Yet in this point to which this Answer is directed, there ſeems little or no difficulty worthy to move a Queſtion. It was an ancient Opinion of Lawyers, that a Convention, Bargain, or Compact, concerning the Eſtate or Goods of another man as yet living, was not only unprofitable, but filthy and diſhoneſt, inſomuch that ſuch Bargainers and Contractors, were thought unworthy ever to be Heirs, and loſt the Right of ſucceeding to ſuch Perſons, which other-
wife

De *Lige Folia*
Caninia tollenda,
de Affertione id
tollenda, de *Deſtitu-
tia* Libertate
tollenda, de *La-
rina* Libertate
tollenda, de id
tollendo nudo *Jure*
Quiritum.

Lib. 12.

Tales hereditatem
olim appellabant
eorum naturam.

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Conſult *Justinian*
an.

his Answer.

Another, to a
ſecond Queſti-
on.

Justinian takes
away from his
Treasury, and
leaves to private
Men.

Favourable to
Women.

wiſe accrued to them. Certainly if any do greedily expect and covet the Eſtate of another man, that Expectation is of Evil and dangerous Example, and may provoke to the Procurement of the Death of ſuch a Perſon. Indeed we may in ſome Caſes, ſell or give away our Hope and Expectation, as of the Draught of a Net; but the Hope of another's Inheritance is wicked, if we make a Compact concerning it without his Knowledge or Conſent. But the Advocates of *Cæſarea* doubted if ſuch a Pact might not be tolerated, as was conceived under an expreſs Condition, if the Inheritance ſhould fall to the Bargainers. *Justinian* ſo far Confirms the old Law, as not to tolerate any ſuch Pactition, and forbids not only any Gift, but any Obligation or Security to be made thereby.

72. If there had been made only a Pactition concerning a future Eſtate in general, whenceſoever it ſhould come, it might have been of Force, becauſe there was no appearance of thinking of the Death of any one Perſon. So a Society was wont to be rightly contracted, that if any juſt Inheritance ſhould happen, it might be common. And ſo *Justinian* elſewhere doth extend an *Hypotheca*, or tacite Obligation to ſuch Eſtates as ſhould happen by Succeſſion. But where a Convention is ſpecially directed to a certain fort of a ſingle Inheritance, it ſeems to be intent upon the Death of ſome ſingle Perſon, though by a Condition this wicked deſign, and preſent thought be covered and diſſembled. *Justinian* only ſaith, the Pact ſhall be null; but whereas he adds according to the ancient Laws, he ſignifies that the Penalty formerly mentioned is to be inflicted. Which is to hold if the thing was done Craſtily by them, that knew the man to be alive; for if they thought him dead, and by that Error were drawn into a Compact concerning an Eſtate as ſaln, the Pact indeed ſhould be null, but there ſhould be no Penalty. One exception *Justinian* makes, which is, the Conſent concerning whole Goods the Compact is made; and this, ſaith he, he hath alſo from the ancient Laws. *Baldwin* yet affirms, that there is no mention made of it, in thoſe Laws that are extant, however the Reaſon is plain, for this Conſent removes the Suſpicion, for which ſuch a Pact otherwiſe is rejected. Such a Conſentor ſhews the Compact to be made *Bona Fide*, and yet he is not obliged, but he may if he pleaſe change his mind before his Death. If he change not, the Pact obliges the Parties. In like manner, if two Perſons agree to ſucceed each other in their own Inheritances, the one thinks of the other's Death, both lyes at catch, but neither purpoſes to give to the other; and therefore ſuch a Pact is alſo rejected, eſpecially amongſt *Pagani*, or ſuch as are no Souldiers. But where there is a ſimple and liberal Conſent, there is no Suſpicion of Treachery, and the Pact is eſteemed honeſt, eſpecially if made by otherwiſe Legitimate Heirs, concerning the dividing of an Inheritance, when ſaln. As if the owner Conſenting, an Agreement be made betwixt the Brother and Sons of another Brother, that they ſhould ſucceed by Poll, and not altogether as repreſenting their Father. But without the Conſent of the Owner, the Agreement were againſt good manners, and made too much haſte.

In *Capita* non in
Stirpes.

Uide *Baldwinum*
lib. 3.

73. He made Answer to the ſame Advocates upon another Queſtion this ſame day, which is not much material to mention; but ſo much in ſhort. It was how Writings were to be Credited, which atteste the Preſence of a Party, and his return was, that they were to ſtand to them, till the contrary was proved. This ſame day he alſo decreed, that no temporal Preſcription but of the largeſt time ſhould operate againſt a Minor, or one under the Age of five and twenty. At the ſame time he alſo took away a Legacy from a Legatee, that ſhould conceal or ſuppreſs a Teſtament, and assigned it, not to the Treafury as formerly had been done, but to the Heir. The Lawyers in the Pandects often ſay, that a Legatee who oppoſed a Teſtament, affirming it to be void or falſe, and was caſt in the Suit, ſhould obtain nothing by the ſaid Teſtament, but what ſhould have belonged to him, fell to the Treafury; but this *Justinian* doth not assign to the Heir, which he might have done as well as the other, and wanted ſome Heir to put him in mind of it. However, though he had not as yet made his new Law, for taking away the *Caduca*, yet he had begun to take away many things from his Exchequer, and to leave them to private Men. He was ſo favourable to the Cauſe of Women, as to the *Dos* or Portion they brought to their Huſbands, that whereas formerly he had given them a certain tacite Obligation upon the Eſtates of their Huſbands, for the repaying of it; Now on the fifth before the Calends of *December*, he preſerred the Cauſe of them, before that of others, who had ſuch fort of Obligations. Yet in this the Treafury is to be excepted, which having a Cauſe firſt in time was to be preferred to a *Dotale* Cauſe that came after. In this matter of Favour to Women, he declares at the beginning of his Law, that he was diſturbed by a daily

L. ult. qui Peti-
tes in ſignum
habeantur, Cod.
lib. 8. tit. 18.

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*daily Applications of those of that Sex, and that he had had Respect to the ancient Laws, and looked onely at the time to come.

74. Great was the danger which of old an Heir or an Executor underwent, in entering upon an Estate. For, all Hereditary burthens he was loaded with, and flood engaged, and answerable to Hereditary Creditours in *Solidum*, even beyond the Estate that came unto him. Neither to free and discharge him, did properly belong the benefit of Separation; for it was rather introduced for the sake of such as were Creditours of the Heir before he entered on such an Estate. Indeed when a *Liberta* as Heir entered on an Estate and was insolvent, and had her Patron for her Heir, it was given as an Answer in Law, that it was not unjust that the Patron should be relieved, and not burthened with Debts contracted by his *Liberta* in that manner, and therefore her own Goods were separated from the Hereditary: But this was a singular Case. A *Minor* also, or one under five and twenty was relieved, who had rashly entered on a bad Estate; and in like manner a Souldier. *Adrian* the Emperour gave relief also to one above five and twenty, when great Debts appeared after an entry made upon the Inheritance which lay concealed at that time; and *Justinian* had done something to the same purpose. But by all these the Heir seemed little to be relieved: And there being such danger in venturing on an Inheritance, the Right of deliberating was desired, which having formerly been indulged for a few Months, *Justinian* gave the space of a year. But there being found great difficulty in this Deliberation, and no other Fruit, for the most part, appearing than a suspending of the Cause of the Inheritance to no purpose; at length it seemed good, that the Executor, or Heir should make an Inventory or Repertory of the particulars thereof, and enter upon the Estate with that Condition; That he should not be obnoxious to the Hereditary Creditours, farther than the Contents of the Inventory, and the Estate it self did extend. In case the Legatees were absent at the making of the Inventory, he would have certain called together, with the *Tabularii* or Scribe. And howsoever solemn the making of it was, he now gave leave to Creditours and Legatees to disprove it, if they could make out, that all the Goods of the Deceased were not therein expressed, *Bona fide*: Nay they might fetch Evidence from the Family of the Deceased, and call Hereditary Slaves to the Question it self; upon this Account as had been generally ordained, that such might be put to the Torture in Hereditary matters.

75. In Case an Heir, notwithstanding the making of an Inventory, would insist upon the time of Deliberation, this over Cautious humour was suspected, and odious in *Justinian's* esteem, and he thought him so much to renounce the benefit of an Inventory, that it should be esteemed as none; and notwithstanding it, he should be obnoxious in *Solidum*, to the Hereditary Creditours even above the value of the Estate. If one would not make an Inventory, he lost his Claim to the *Lex Falcidia*, and could deduct nothing from Legatees: Nay *Justinian* ordained afterwards, that Legacies should be paid intirely, as Debts were, without Respect to the quantity of the Estate. By the benefit of an Inventory, a Confusion of Obligations was prevented, in case a Creditour became Heir to the Debtor. If in the Inventory with the Goods he described and collated Debts, he should reckon also his own Debt, and should be numbred amongst the Creditours. But on the other side *Baldwin* is of Opinion, that if a Debtor succeeded as Heir, or Executor to a Creditour, his Name is to be put into the Inventory amongst Debtours, and amongst such he is to be reckoned: That as there ought to be no Confusion to the defrauding of an Heir, where the Creditour succeeds the Debtor, and makes an Inventory, so there ought to be no defrauding of the Creditours of the Deceased, when a Debtor is Heir. Nay, both Lawyers and Princes of old time answered, that as to the *Lex Falcidia*; such things should be reckoned as in time of Death were owing, either by the Deceased to the Heir, or by the Heir to the Deceased. *Justinian* farther in some sort infringed the right of an *Hypotheca*; that if any one buy a thing of an Executor, who hath duly made an Inventory, he shall have that thing free, and stand in fear of no *Hypothecary* Actions. So much doth our Legislatour commend all manner of ways, with many Privileges adorn, and almost obtrude the Benefit of the Inventory upon Heirs, even against their minds, it being of his own invention.

76. The following Year, or the second after the Consulship of *Lampadius* and *Orestes* was turbulent, and when *Justinian* was in danger at the beginning thereof, to be depoyed by the *Nica*, and Sedition of the People about the Nephews of *Anastastius*, he must needs have been put upon other thoughts, than the making of

An Heir to make an Inventory and to be no farther burthened.

The penalty of not making an Inventory.

L. 13. Cod. de Jure deliberand.

L. penult. Cod. de inofficijs Testam.

L. ult. de Jure deliberand. Cod. est, die testis qui prior, qui potiores in pape.

Justinian gives Liberty to all, to make Testaments of the quasi Castrense Peculium.

He permits a Man of sixty, and a Woman of fifty to marry.

Laws. But all being quiet, he returned to his former Course, and on the last of *April* made a Decision, which *Baldwin* thinks needless, as having formerly been done. It was, that a Condition which a Legatee could not perform, should be taken for none; especially when Liberty was bequeathed. From the end of *April*, *Baldwin* passes without thinking it fit, to take notice of any Laws, till the beginning of *September*. On the first of this Month was dated a Constitution not ignoble, whereby he confirmed the old Law concerning the Testaments of Souldiers, who were in the Power of their Fathers: Such Sons might by Military Right make Testaments concerning their *Castrense Peculium*, neither could such Testaments be called *Inofficius*. And when they left the Wars, they might also make Testaments concerning the same things, *Jure Communi*, against which no *Querela* of *Inofficius* should lye; but this latter Privilege *Justinian* will not have extended to Sons Emancipated. Now as Sons that were Souldiers had their *Peculium Castrense*, which they got by their Labours and Dangers in the Wars, so others by their pains obtained Wealth, which Princes thought fit also to appropriate to them, and what was so gotten was called, *quasi Castrense Peculium*. Such was that got by the *Palatine* Officers, and such as served at Court; by Professours of liberal Sciences, *Archiatr*i and others. Of old to Proconsuls, Presidents of Provinces, and some others, it was permitted to make Testaments concerning such a *Peculium*, which *Justinian* extended to all that had Wealth so acquired: And as he had formerly given the Privilege to Clerks, that against their Testaments made of their *Peculium*, no *Querela* should lye, so now he grants it to all in General. Although what he formerly gave to Clerks in a special manner, he seemed by a Novel Constitution in a special manner to take away; commanding them absolutely to leave a Legitimate to their Parents or Children, as being obliged to give Example of greater Piety and Duty, than others were.

77. It is not to be forgotten, That this year *Justinian* directed another Constitution to *John* the Prefect, whereby he forbade a Marriage should be prohibited betwixt a Man older than sixty, and a Woman than fifty, as had been discountenanced by the *Lex Julia* and *Papia*. Now this Law did not absolutely forbid the Marriage of such a Man, with such a Woman; but it judged it not fitting, nor sufficient to prevent the pain of *Celibate*, because it was late and barren; it imagined it a Marriage without Marriage. Afterward it was thought fit, that a Man of sixty might Marry, but not a Woman of fifty; which was approved by the *Senatusconsultum Claudianum*, and the reason was fetched from Nature, and declared by *Aristotle*, a Man being by him supposed to be able to Generate till seventy, and a Woman but till fifty; to which Opinion the Lawyers were ready to subscribe. But *Justinian* thought Nature might be fruitful beyond these bounds, and he considered that Procreation was not onely the honest end of Matrimony; and therefore as he found other Heads of that Law to be repealed before his time, so in Favour of ancient People, he resolved to take this way likewise. And it happening afterward, that a Woman above fifty had brought a Child; and of this being consulted by the Advocates of *Caesarea*: He could not refuse to admit of the Child as Legitimate, though born after the wonted Age of the Mother, but reckoned it amongst Legitimate Heirs. And this was a Question rather of Fact, than of Law; it being alleged, that the Birth was Supposititious as not proceeding from so ancient a Woman. In a matter doubtful and questionable, yet he pronounced that the Chear was to be proved by him that alleged it, it being no proof to alledge the ordinary Course of Nature, which might sometimes exceed her ordinary Methods, and to be sure it was a thing equitable to Favour the Infant. But when another Question was moved, whether a Child born in the eleventh Month after the death of the Husband was Legitimate; the difficulty was greater, it being not onely a Question concerning the force of Nature, but of the Fidelity of the Woman, who might lye and dissemble the true Father. What else was to be judged in this Case, he prudently and Cautiously determined in a Novel Constitution. As for the Birth of a Child after the fiftieth year of the Mother: *Baldwin* instanteth in an History, which serves better, than any Gloss to make good *Justinian's* Law. It is this, *Constantia* the Wife of *Henricus Suerus*, the fifth Emperour, being fifty four years old was with Child, and that there might be no Fraud had Keepers appointed to watch her. And at that Age she brought forth a Son, who by the Name of *Frederick* the second succeeded his Father, *A. D. MCC.* As for a Birth in the eleventh or twelfth Month after the death of the Husband, let the Faculty of Physick, and the Lawyers of *Paris* speak, in the behalf of a late Prince of their own Bloud.

L. ult. Cod. de Condit. instest.

L. ult. de Inofficijs Testam. Cod.

L. 28. de Inofficijs Testam. Cod.

123.

L. 27. de Nupt. Cod.

L. 12. de Legib. Hered. Cod.

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78. In the seventh year of *Justinian's* Reign, he himself the third time was Consul in the East, and without a Collegue. For in the West he who now Reigned in *Italy*, was content there should be no Consul in the West; Nay, for the foregoing years there were none in the East, the Emperor not regarding this Title, which had long ago degenerated into mere Name and Form, and the barbarous Princes esteeming it but as a Badge of the Empire. And now *Justinian* seems to have intermitted his business of making Laws for practised by him in the five preceding year; there being no new and singular Constitution published this year, as *Baldwin* observes, which he doth not attribute to his distraction about Martial Affairs. For the Persian War was dispatched, that of the *Vandals* in *Africk* was ended, and the *Gothick* in *Italy* was scarce begun. He suspects him and his Lawyers to have been busied in perusing the *Pandects*, and composing the Institutions, with the Edition of which this year was over and above Ennobled. The Institutions were compiled more lately, and yet published a little before, but obtained not Authority or Force in the *Forum*, but from the same day the *Pandects* were published. Concerning the Edicts and Prefaces premised and conjoined, to both we have spoken already, and altogether. That of the Institutions is a Book indeed, wherein the Author much Glories and Prides himself. He pretends it to be Composed, as to be a sort of *Index*, of both Laws Ancient and Modern, a Breviate of many Constitutions formerly published by him; and to appertain no less to the Code, than the *Pandects*.

No Constitution this Year.

But the *Pandects* and Institutions came abroad.

79. Now *Baldwin* will have it so far from comprising the Heads of all his new Constitutions, that he affirms not the fourth part of them to be touched, scarcely sixty of two hundred and fifty. Yet where the place permitted it, and occasion required, he acknowledges that the Architects of this Epitome were mindfull of their *Justinian*, and not so exceedingly forgetfull of their New Law as they had been in the *Pandects*. He owns that the Memory of some Constitutions are herein preserved, which else had been lost; as those *De Jure Patronatus*, and *De Ineritis Personis*, which possibly were written in Greek, and therefore some few hints of them only remain in the Code. As for the Patronage of such as had been Slaves, it has been spoken to. By the other Constitution it seems, he made it lawful to leave a Legacy to an uncertain Person, which before could not be done: For Example, a Legacy thus left; *Let mine Heir give to him, that shall give his Daughter in Marriage to my Son, &c.* For though this uncertain Person became after certain, yet the Legacy was null, because it seemed given rashly, and without good Advice. Amongst the Living, Liberality might be conferred on an uncertain Person, as in throwing Money to a multitude; but the Ancients required a more settled and Composed mind in Testaments. To ones own Posthumous Child, a Legacy they permitted to be left, but not to one of another Man; and though the *Praetor* was Assistent to the latter, in obtaining an Inheritance, yet he granted no Action for Legacies. This being but too nice and subtle, was Corrected by *Justinian*. Indeed it had been lawful to leave Legacies to the Poor in general before his time, which he confirmed by a peculiar Constitution: This was a singular Exception and could not avail, that a Legacy left for the redeeming of Captives could be good, till *Leo* the Emperour expressly confirmed it. Him *Justinian* followed, and afterwards ordained Universally, that a Legacy might be left to uncertain Persons.

Justinian makes it lawful to leave Legacies to uncertain Persons.

80. Though the Constitutions of *Justinian*, concerning *Legata* and *Fideicommissa* be extant; yet a noble Head of this Subject had been wanting, if not mentioned in the Institutions. Concerning Legacies paid by Error to pious Uses, their being irrevocable. *Baldwin* farther observes, what *Antinomias*, or repugnancy in Law had been found in the *Pandects*, if it had not been for this little Book, which shews whether of these repugnant Testimonies brought out of Authors, is to be followed. But so great was the Ocficiency of *Tribonian*, that he wishes he had also made some Notes upon his *Pandects*, to shew us what to doe in so many dissenting places, and tells us what Opinion we are to follow, and which of them was most liked by *Justinian*. He declares, that such a Book of Annotations had absolutely been as necessary, as the Institutions. Not to say, that many things are rashly delivered in the Institutions, which upon good Grounds were rejected in the *Pandects*. But truly these things, faith he, are Cautionously and Considerately to be weighed, that from the thing it self we may prudently determine, what is to be imputed to the Carelessness, and (if one may say so) to the folly of *Tribonian*. For his mistake, and to use *Cicero* his Word, his Heedlessness (*non Curantia*) ought not to overthrow the Reason and Verity of the Law. The Institutions were published on the eleventh before the Calends of *December*, and the *Pandects* on the

Quem vide lib. 4 de Jure Noto.

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The Institutions derogate from the *Pandects*.

seventeenth before the Calends of *January*. But the Institutions were not to be of Force till this latter day, together with the *Pandects*. And it is to be observed, that the Institutions are to be esteemed the latter, and that consequently they derogate from, and repeal the *Pandects* upon occasion, and not the *Pandects* them.

81. *Baldwin* also is out of Humour, to find in the Title of the *Pandects*, that they are styled Books, *Juris Enucleati*, or Kernels of the Law, being Collected from all the ancient *Jurisprudentia*. *Justinian* calls the Compilers of them, *Compositores Juris Enucleati*, and he wishes they had been such as *Q. Mucius*, of whom *Cicero* testifies, that he did speak *Enucleate & Politè*. But perhaps, he adds, it would be silly to expect such a thing from some *Græculi*, especially in what concerns the *Roman Jurisprudentia*. Certainly they who boast, they give us Law in the Kernel, have given us a Kernel inclosed in a very hard Nut; or rather one with the other, so bruised and intermingled, that they can scarcely be discerned. But as for what the Inscription tells us, that ancient Law is gathered together in the *Pandects*, as *Justinian* also boasts in his Preface to the Institutions, how this is to be taken, is not obscure. For, as was formerly said, he would have the *Pandects* accommodated to the use of his own time and the *Forum*, and they are so interpolated, as to contain a certain mixt Law, partly Old, and partly New; so they seem to be a Composition of both Laws. And *Justinian* himself, somewhere calls them a Composition of new Law. But I have, so he concludes, formerly shewn what diligence and fidelity *Tribonian* used in the patching of them together.

82. In the year following, wherein *Justinian* was Consul the fourth time, together with *Paulinus*, though the *Roman* World was busied in turning over these new Books, yet was it still plyed with hot and new Constitutions; yet these not many, but sinuous and mightily pretending to the Civil Law. *Augustus Caesar* endeavouring to bring all Men to marry, as we have seen in our second Part, and not able to doe it, after several other Laws called *Leges Juliae*, brought up *Lex Papia Poppæa*, to punish *Celibate*, and increafe the publick Revenue; that if the Commonwealth could not be supplied with Men, it might with Money. Now a great design of this Law, was to make Legacies and Estates to be of the Nature of *Caduca*, and in many Cases to fall to the Treasury for certain Defects, of which it's not fit here to inquire; and *Baldwin* concerning this Subject hath written largely. These *Caduca*, some Cases excepted, did *Justinian* now take away, and let these things fall to Heirs and Legatees, and would not have them to accrew to 'his Exchequer. This he did by a Constitution directed on the Calends of *June*, to the Senate of *Constantinople*. Besides this Constitution published after the *Pandects*, on the third before the Nones of *July*, he gave out another for facilitating still more, the making of Testaments, and that in Favour of *Pagani*, or Countrey-men. In the *Pagi* or Villages, he is content five Witnesses be sufficient where more fit ones are not to be had. In Cities and *Castra*, or lesser Towns, he will have the ancient Law to be observed. As five Witnesses here are sufficient, so formerly to all Codicills, and in such Testaments wherein such Heirs are instituted, as otherwise were to be succeeded by Law. *Leo* the Emperour afterward would have three Witnesses suffice in Cities, and three in the Countrey for making Testaments. And indeed it was thought fit to depart by degrees from that scrupulous severity of the Ancients in making Wills, though some reasons (as lately to shun Perjury) drive again sometimes a State to a more near observance of them.

De Caducis Testam. lxxv.

He will have five Witnesses to a Testament suffice in Villages.

He makes a second Edition of his Code.

83. Now towards this time, *Justinian* began to bethink himself, what a vast number of Constitutions he had made, since the first publishing of his Code. They were grown up to near as great a Bulk as it had been: He thought therefore, to put them all together and make a new Edition. Therefore this year on the sixteenth before the Calends of *December*. The Code in this sort augmented, corrected and interpolated came abroad. *Baldwin* blames them that reckon only fifty Decisions to be inserted, there being, he saith, above two hundred new Constitutions added at this new Edition. And here he affirms, according to his Custom, that it had been no less necessary to have had another review, Interpolation and Edition of the *Pandects*, for making the Law complete and agreeing. Nay, that the Composition of the Code and *Pandects*, was not only to be driven to the ninth year, as *Justinian* saith, but even the Promulgation of them to the time of his Death, that Perfectly Enucleate and Consummate Law, might have been delivered to Posterity, to be constant and perpetual; and so he might have saved the pains of throwing out so many Edicts, which afterwards he again rejected, according to experience and use of things which *Leo* affirms, to be the most severe Examiner, and Exploratur of Laws. At the publishing of the Code, he commanded

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And Novel
Constitutions
previously after.

Twelve the fol-
lowing Year.

The first is fe-
vere against
Heirs or Lega-
tees, who per-
form not the
Testators
Will.

Will have Prin-
cipal Debours
due before such
as are bound.

manded that out of its Body no Constitutions should be read. He meant such Constitutions as were already abroad, not those he should afterward publish; for he foresaw there might be occasion from various experience, yet to make others. And he was not deceived. For scarcely had a Month and an half passed from this new Edition, when in the beginning of the following year, he set upon making Novels, of which he poured out so many that their Volume almost at length exceeded the Code it self. And as formerly he Composed his Edicts in the Latine Tongue, rather than the Greek, now he made use more of the Greek, than the Latine. For both the Eastern and Western part of the Empire, was to be gratified; and the Gothic War now raging in Italy, it seemed most fit to Consult the East, in the making of Laws.

84. In this succeeding Year, wherein *Belisarius* was Consul, he published twelve Novels, whereof the first soon after the coming out of the Code, on the Calends of January. It confirms the severity of the old Laws, against such Heirs and Legatees, as do not fulfill the Will of the Testator, 'ordaining that such shall receive no benefit by a Testament, who so long defers to do what therein he is ordered, that he continues negligent an whole Year after a Judicial Condemnation. No other way was there to make good the Will of the Dead, and afterward he was a little more severe upon the Score of Religion, 'depriving one of the Right of Succession, who being by a Magistrate once and again admonished, did not pay Legacies given to pious Uses, condemning him as to the Fruits and Interest, if he made not payment within six Months after the Testator's death, whereas the Heir was wont to pay Fruits and Interest of old, for ordinary Legacies from the Contesting of the Suit. 'But he excepts Parents and Children, so as they shall have their Legitimate share which they should have had by Law, or otherwise might have brought the *Querela Inofficiosi Testamenti*, though they condemn the Commands of the Testator; this belonging to them, whether the Testator will or not. By the ancient Law, called *Lex Falcidia*, such Care was had of an Heir, that the fourth part he was inabled to retain of an Estate left by the Testator, to be deducted if need were, out of Legacies and other burthens imposed on him. 'Now Justinian was so favourable to Legatees that he endeavoured by this Novel, in a manner to remove and take away this *Falcidian* part, leaving it in the Power of the Testator: If an Heir in such a Case would not take to the Estate, he left it to others that were next concerned to do it. If the Heir omitted to make an Inventory; to be sure he should have no benefit of this Law, or if he did it not in due form; and here he will not trust a *Tabularius*, but all the Legatees, or three Witnesses in the Room of them, must be called together. In Conclusion, if the Heir pay a whole Legacy to one of the Legatees, he shall be obliged to all the rest, and have no benefit of this Law.

85. By another Novel he would have principal Creditours, to be sued before *Fidejussors*, or such as were bound with them, and this Constitution he gave out this same year, on the fourteenth before the Calends of April. Of these it shall suffice to have touched, for we must not give an Account of all his Novels, whereof several have been mentioned, and others nearly relate to the more private Part of the *Jus Privatum*, and belong to Law, and not to History. Indeed some that concern the *Jus Publicum*, History and the Constitution of the State its requisite that we Examine, but first we shall mention at parting with these things, that concern private Law, one Novel which by no means is to be passed by: The reason is given by *Baldwin*. If there be any new Constitution which abrogates many old Laws, which overthrowes the most subtle Mystery of the ancient Doctrine, which delivers the *Jurisprudentia* from many Ambages and vain Circumtions, which not onely dissolves, but cuts many of its Knots; in Conclusion, which as it were with one Stroke blots out many Pages of the Pandects, this is it. Justinian had formerly taken pains to Model aright this most Noble part of the Law, concerning the Legitimate Succession to Persons dying intestate. But now he perceived all was to no purpose, except he cut down with one blow, all that wood of the ancient Law, being too acute and precise, beset with so many Thorns, and perplexed with so many Turnings and Windings; and that by reducing the whole matter to some one Form, simple, agreeable to Nature, and the Law of Nations. Great Contests had continued about this Business in the Roman Law, for one thousand and three hundred Years, from the founding of the City, and Justinian had spent sixteen in the Composing of them.

86. What a difference was made, and how great in the Roman world, betwixt Children in ones own power and Emancipated, betwixt *Agnati* and *Cognati*, from the Laws of the twelve Tables till this time for a thousand years, what disturbance it

Nov. 1.

Nov. 13.

Nov. 4.

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Novel. 118.

He cuts off Con-
tests about suc-
ceeding to the
Estate of an In-
testate.
By calling all
Children to the
Inheritance.

If no such, Pa-
rents.

With whom he
joyns Brothers
and Sisters of
the whole blood.

Takes notice of
Natural rather
than Civil Suc-
cession.

it made, and in what difficulties it involved the Jurisdiction, the Books of Law speak aloud. 'But now our Legislatour commanded it to cease, in Legitimate Inheritances of the Intestate. To those Inheritances in the first place, he simply and naturally calls the Children of the Deceased, whether they were in his power or not, and of whatsoever Degree or Sex. The Law of the twelve Tables first called onely Children, under the paternal power and such as were in the first Degree. Yet the *Prætor* also admitted such as were Emancipated, and at length the Senate commanded Sons to be the Legitimate Heirs of their Mothers, though a Woman had not her Children in her power. Therefore a necessity of Children being in power to become legitimate Heirs, was taken away many Ages before Justinian. And for the other point of the first Degree, Grandchildren were also admitted, but rather as Sons than Grandchildren, for they supplied the first Degree, and came to the Inheritance, rather as their Fathers than their Grandfathers, by way of Representation. 'Now Justinian seems not to have altered the Law in this point, for he always would have Grandchildren by two Sons not to succeed in *Capita* by Poll, but in *Stirpes* by way of Representation. Though had he regarded Natural more than Civil reason, he would have judged in the opinion of *Baldwin*, that they ought rather to have succeeded in *Capita*, especially there being onely Grandchildren. But he did not always with sufficient acuteness see what was consequent, the subtilty of the ancient Law being taken away. As for the Sex, there was of old also some difference betwixt Nephews and Neices. But he had abolished it before.

87. 'If there were no Children which are called Descendents, then in the second place he called to the legitimate Inheritance Parents termed Ascendents, that is, Father and Mother equally, or if there were no such, those above them, but so as he granted them *Stirpes* not *Capita*, that is one half to those of the Father's side, and another half to them of the Mother's. Now here is no Succession from Degree to Degree, it being contrary to nature that what ought to be in ascending, should be in descending. Therefore doth the Mother exclude the Grandfather by the Father; for simply and naturally the next Degree in order of Ascendents, is preferred by this Constitution. Now the old Law made a long Distinction as to the Father. As whether the Son dying Intestate, was in his power or Emancipated, whether he was Emancipated *Contraita fidei*: and sometimes the Father, by virtue of his paternal Power, seized the Goods of his Son as his own, and otherwhile became Heir as a Manumissor by right of Patronage. Hardly at length did the Senate admit the Mother to the Legitimate Inheritance of her Son. Of these things it's fit a remembrance should be had by the Confession of *Baldwin*, to make us more sensible of the natural simplicity of the new Law introduced by Justinian.

88. 'Our Legislatour together with Parents, admits and joins Brothers and Sisters of the whole blood, and gives to each of them, as much as to each of the Parents. But here he hath respect to *Capita* rather than *Stirpes*, whereas he divided the Inheritance to Father and Mother by *Stirpes*, so the Accession of Brothers and Sisters alters the Law of Ascendents. And such Brothers and Sisters as are admitted with Parents, are much more Heirs if no Parents be alive, and it is also to be supposed, that they are to be preferred before those of half blood onely. The ancient Law when it called *Agnati*, in the first place called those by the Father's side, but those by the Mother not at all, for the former sort were *Agnati*, but the latter not. And because it had respect to *Agnation*, not to *Cognition*, it provided for those that were by the Father, onely as much as for *Germans*, or those of whole blood. 'But Justinian takes notice of the Natural more than Civil Conjunction, and by this one Rule, cuts off infinite Diffractions and Disputations of the Ancients, and obliterates so many things in the Digests, that *Baldwin* tells us, his Relation would be without end if he should reckon them up. 'But, what he confers on Brothers and Sisters, he also gives to their Children, but not so fully and in *solidum*. When the old Law called the next *Agnatus*, or those of the Father's side, to the Inheritance of the Intestate, it called not the Son of one Brother already Dead, together with another Brother, for the Brother being in the nearer Degree excluded the other Brother's Son. Neither did the Ancients grant the Succession, which was given to a Grandson, to succeed with his Uncle by the Father's side, to the Son of a Brother. They gave it to the Grandson, because though he was alone, yet otherwise he could not but be Heir. To the Son of a Brother they granted it not, because by the Law he might from his Degree come to his Inheritance, if there were none nearer than he; but they thought it not Law to joyn him with a nearer,

SECT. 2. as it were born out by a new Succession. 'But our Legislatour liberally granted the succession which they denied, so as the Son of a Brother German, should exclude both the Brothers of half blood, in right of his Father, into whose place and Degree he succeeded. But this is consequent, that if there be several Sons of one Brother, who are admitted with a Brother German of the Deceased, the Inheritance shall be divided in *Stirpes* and not in *Capita*. Yet if only Sons of two Brothers succeed without an Uncle, no reason there is, but that they succeed the old way, not in *Stirpes*, but in *Capita* or by Poll. 'The same thing was granted to Sons of Uncles, but not to a Grandson of an Uncle, to have equal right with the Sons. Justinian prefers the Son of a Brother before an Uncle, because in the order of Descendants, to whom an Inheritance naturally devolves before it returns to Ascendants, of which rank an Uncle is.

Gives the same privilege of the tenth degree to Cognati as Agnati.

89. As for those who are called to a Succession from a collateral or transverse Line, that Succession is to be measured by the privilege given to the former sort. Justinian in his Institutions saith, an *Agnatus* is to be admitted to an Inheritance, though he be in the tenth Degree. And the *Praetor* in case of *Proximity*, would promise possession of an Estate, to those alone who were in the sixth Degree, and from the seventh to the Children of a Cousin by the Mother's side. Therefore *Agnati* were admitted at a greater distance than *Cognati*; but whereas Justinian took away the difference betwixt them as to Inheritances, he seems to have granted the same privilege to the *Cognati*, as formerly the *Agnati* had enjoyed. So that it may be presumed, that such as are removed no farther than the tenth Degree, may be called to an Inheritance; for Justinian easily would admit them before his Exchequer, having waived the concernment of the *Caduca*. But what difference was made by the *Lombards*, how they admitted *Agnati* in *infinitum*, and denied Ascendants could be Heirs; and by such as have from them imbraced the *Feudatory* way, is not proper at present to be insisted on; it being novelty to what we are now about. Afterwards he made another Novel Constitution, which is as an Appendix or Accession to this, dated on the fifth before the Calends of December, in the seventh year after the Consulship of *Bassilius*. He had formerly granted to the Sons of a Brother, that they might be Heirs with another Brother of the Deceased, by a certain Right of new Succession; yet he had denied, that such Sons of a Brother, could be admitted to inherit together with Parents. But musing long, and much about it, at length he concluded it was not to be denied them, and for this purpose, he published his Hundred twenty and seventh Novel, which in this matter, should correct and amplify his Hundred and eighteenth. This Novel was published at Constantinople, the same time that *Totilas* King of the *Goths*, took and defaced *Rome*.

The Authenticon.

Novels how many.

The Latin Version.

90. We think it not fit to say much more, concerning the Novels of Justinian, but give only farther some few hints. For first, several of them have been spoken of already upon occasion. Then many of them relate to Ecclesiastical matters, and so are not of our Cognizance here. And then there is no order observed in the Disposition of them, as is either in the Digest or the Code, but as occasion was offered of any doubt wherein the Prince his Resolution was necessary to every thing, so it is set down without any other method or form. The Body or collection of them is called the *Authenticum*, because most of them being written in Greek by the Emperour, they were Translated into Latin, and the Translation was so good as to be counted Authentical, as also to distinguish them from the *Authenticks*, which are crept into the Code, and from the Epitome of Julian, which was often called a Book of Novels. *Accursius* and the Doctors have commented and glossed onely on ninety eight as Dr. Duck tells us, but Julian in his Epitome, pre-
De usq. ad authenticum Jus Civile, lib. 1. c. 4.

115. 91. The first Latin Version of the Novels, was that of Julian, the Antecessour, made not long after Justinian, which all Writers commend. The other which *Accursius* and the Interpreters make use of, *Alciatus* calls barbarous, but *Cujacius* commends its authority from Antiquity. It was made as *Molinaus* guesseth by an uncertain Author, and one unskilfull in the Latin Tongue; but being received by all Nations, both in their Studies and Judicatories, it hath the Authority of Law; and

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and if a Controversie arise concerning the Text, recourse is not always to be had to the Greek Fountain, because *Contius* thinks, that this Translation was made from a more perfect Copy than now we have. Therefore our lately mentioned Countryman concludes, that such Novels as are not by Custome received, ought not to be admitted, which also is to be said concerning the Novels of Leo the Emperour, surnamed *Philosophus*. But we must farther add, that the whole Volume is distinguished or divided into nine Collations, Constitutions or Sections, as the Novels into Chapters; that is, the Latine Volume is so divided, for the Greek Text acknowledgeth not this Division into Collations. Some are general and concerned all, who had the like cause of Doubt; and some are private and concern only the place or Person, for whom they were written, some belong to the *Jus publicum*, and others to the *Jus privatum*, these being far the greater number. In conclusion, we have been tedious upon this Subject of Justinian's Laws, and still must add something farther, and therefore it will be convenient to dismiss the Novels; especially considering what is added at the bottom of the Titles of all the Collations by *Gothofred* or some other. What ever Dr. Duck writes, having reckoned them all up he adds, 'Therefore all consent that there are an hundred and sixty eight Novels of Justinian, neither more nor less. But *Mathaeus Monachus*, in his Preface to the Collection of Greek Ecclesiastical Constitutions, plainly wrote, that Justinian made an hundred and seventy, from whence it appears that two are yet wanting, that I may omit, that most above related, are not the Constitutions of Justinian himself.

Twelve Edicts.

92. Still besides these, we find added in the later Editions, twelve Edicts so called, or General Laws translated into Latin by *Henry Agyllus*. Concerning them, the same is to be said as of the Novels, in which none of them are included. They belong for the most part to the ordering of the Eastern Provinces, whose-foever they were. And now we suppose we have our whole Number, or all the Constitutions and Laws made by Justinian, if not more than all. Put them then altogether, and we have this Account. In his Code, there are of Ecclesiastical concernment which bear his Name, thirty and eight at the least, and of such as relate to Civil Affairs, three hundred thirty and five, as I have reckoned them. Add to these one hundred and seventy Novels, which *Mathaeus Monachus* wrote that he published, two being wanting of the number, and twelve Edicts, and they make up five hundred and fifty five Constitutions made by him. Of these, such as are in the Code are undoubtedly his, and therefore in shewing how he introduced new Law, they were to be made use of. And thus we have taken a sufficient survey what Justinian did, as to modelling the old, and bringing-up new Law; we see that besides his own Constitutions in the Digest, and in the Code, he has caused to be inserted the opinions of the ancient Lawyers, and the Edicts of the Emperours his Predecessours. But here we find a loud Complaint made, and that not undeservedly, that after the compiling of these his Books, the writings of the ancient Lawyers to full of Wisdom and Learning were neglected, and indeed perished, little to purpose being left of them. And he is by many accused, together with his *Tribonian*, of burning or destroying all those writings of the Ancients, and the Laws of the twelve Tables, that his own Collections might be of greater authority, and be the Standard of Law. O what sighing and complaining there is amongst learned Lawyers, that they want those clearer lights and more infallible Guides.

Some thought Justinian destroyed the writings of the ancient Lawyers.

Others vindicate him.

93. But others are more kind and charitable to his memory, who rather think that these writings perished by misfortune, by the Calamity of the Times, and the Incursions of the Barbarous Nations. For of the three Cities which were the Universities for Law, *Berytus* perished not long after Justinian by an Earthquake; *Rome* was often taken and wasted by the *Goths*, and other Barbarous People; and after many other Calamities, Constantinople at length became a prey to the Turks. Certainly after Justinian's Death, the whole Roman Empire was overwhelmed by the *Goths* and other Barbarians, with so many Calamities, such Plunderings, Burnings and Desolations happened, that they attribute it to the singular providence of Almighty God, that in the Pandects, by the endeavour of Justinian, such remains of the ancient Lawyers were preserved. And here it will not be amiss, nor besides our purpose to let the Reader know, what Reliques or Remains there are left of the ancient Law before Justinian, which escaped the Envy, or the Iniquity of the Times. The first Foundation of the Law, were those Ordinances made by the Kings of Rome, called *Leges Regiae*. These were collected into a Body by *Sextus Papirius*, and afterward *Gracius Placcus* wrote a Commentary upon them,

D d

but

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Remains of the
Laws of three
Kings of Rome.

but both Volumes have miscarried. Yet fragments of them have been collected by *Antonius Augustinus*, *Contius*, *Baldwin* and others; that is of three of the Kings, viz. *Romulus*, *Numa* and *Servius Tullius*, which last as *Dionysius Halicarnassensis* writes, made fifty Laws concerning Contracts and Crimes, for no Footsteps are extant of any made by *Tullus Hostilius*, *Ancus Martius*, or *Priscus Tarquinius*, and much less of *Tarquinius Superbus* who abolished those of *Servius Tullius*.

Of the Laws of
the twelve Ta-
bles.

94. Of the Laws of the twelve Tables, the second Body of the *Roman Jurisprudentia*, fragments have been collected by many, every one using his own method therein. Of the several methods, that of *Francis Pithæus* is judged best by *Jacobus Gothofredus*, who himself hath made Observations concerning Errors committed, Omissions, Interpolations and matters foreign to the thing, hath restored the Fragments that remain into order, added the History, Proofs, Notes and Glossaries in a work published at *Geneva*, in the year MDCLIII. All Laws afterwards enacted for the use of the People at *Rome*, at least as much as in them lay, have been collected and catalogues of them exhibited by *Ant. Augustinus*, *Zafius*, *Mauritius*, *Hotoman* and *Charondas*. Of these Laws some singular ones have been collected, and illustrated by Commentaries. As the *Lex Velleia* by *Antonius Augustinus*, the *Lex Julia Majestatis* by *Contius*, and the *Lex Julia de Adultteriis* by *Brispianus*. *Baldwin* hath collected the Heads of the *Lex Voconia Falcidia*, *Julia*, *Papia*, *Poppæa*, *Rhodia*, *Aquilia*. *Curatius*, *Jacobus Gothofredus*, and others have done the same by other Laws of lesser Note. As for *Senatus Consulta*, *Ant. Augustinus* collected such as concerned the *Jus Privatum* from *Tiberius* his time till that of *Marcus*. And *Scipio Gentilis* hath illustrated with singular Commentaries, Orations of Princes, which were wont to precede the *Senatusconsulta*. The *Edictum Perpetuum*, the third and indeed the chiefest Body of the *Roman Jurisprudentia*, was indeavour'd to be collected by *Eguinartius Bare*, but with a mixture of other things. A better and pure collection was made by *Guil. Ranchinus*, only the Chapters of the Edict are not disposed according to the true method, but that of *Justinian's* Law.

Of other Laws.

Of *Senatusconsulta*.
Orations of
Princes.

Of the *Edictum*
Perpetuum.

Fragments of
ancient Lawyers
remaining be-
sides those in
the Pandects.

As of *Gaius*.

Of *Ulpian*.

Of an Anony-
mous Author.

Of *Paulus*.

Of *Modestinus*.

Three *Stemmata*.
A Consultation.
An Historical
Narration.

A Collation of
the *Mosaic* and
Roman Laws.

95. Of the writings of the ancient Lawyers, fragments and pieces are put into the Pandects, under the several Titles of the several Subjects. And some, as *Ant. Augustinus*, have taken pains to unite those pieces of the same Authors, and exhibit them together with some antecedents and consequents of the same Chapter, so that thereby a shew is made of a Restitution of the Books of those ancient Authors which perished. Some have illustrated with Commentaries those particular Authors, or the particular Books mentioned to be written by them. And besides these Fragments in the Pandects, some other Fragments out of them, have come to our Hands which it would be most useful to put into one Volume, and in part it hath been performed by *Peter Pithæus*. But particularly some Fragments of *Gaius* are remaining, which were collected by *Anianus* the Chanceller of the *Gothick* King, and mangled out of the four Books of his Institutions; for so many he wrote: and other Fragments of his Institutions might still be added from the Pandects, the Author of the Collation of the *Mosaic* Laws, *Boetius*, *Priscian* and *Diomedes*. There are also some remains of the Labours of *Ulpian*, or twenty nine Titles, collected also by *Anianus*, and it's thought out of his Book or Body of Rules; and more Fragments still might be added from the Collation of the *Mosaic* Laws, and *Boetius* upon the Topicks of *Cicero*. Besides these there are some Fragments of an anonymous Writer, concerning the *Species of Law* and *Manumissions*. Moreover five Books of the received Sentences of *Paulus*, written to his Son, or rather pieces taken out of these Books by *Anianus*, the Collectours of the Pandects and others, but highly useful for the knowledge of ancient Law, and the understanding of that of *Justinian*. One Fragment also of *Modestinus* still remains, taken out of his third, or rather his ninth Book, bearing title concerning the Goods of *Liberti* and *Testaments*.

96. Three several *Stemmata* are also extant, or ancient Descriptions of the Degrees of *Agnation*, according to which Inheritances descended. A Consultation of an ancient Lawyer of the middle Age concerning Pacts. An *Historico Juridical* Narration, concerning the Confirmation of the *Rhodian* Laws by the Emperours, viz. *Tiberius*, *Vespasian*, *Trajan*, *Adrian*, *Antoninus*, *Pertinax* and *Severus*. A Collation of the *Mosaic* and *Roman* Laws, out the intire Books of the ancient Lawyers, *Papinian*, *Paulus*, *Ulpian*, *Gaius*, *Modestinus* and others; as also from the *Gregorian*, *Hermogenian* and *Theodosian* Codes, and distinguished into sixteen Titles. From the Prefaces to the sixth and seventh Titles, some collect that the Author was no professed Lawyer, but the Book is useful in that it shews, what liberty

Tribonian

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Answers of *Pa-
pinian*.

Juridical Notes.

*Vibius Maci-
nus* de *Affe*.
Other Writers.

The *Notitia*.
Remains of *Con-
stitutions*.

The *Ritque* that
Justinian's Law
ran in the East.

Admired and
received in the
West at this
day.

Tribonian and his Collegues took in Hearing, Reading and Altering the writings of the ancient Lawyers, in that it contains many Fragments of old Writings, and Constitutions, no where else extant or not so fully; and shews how the Books of ancient Lawyers were divided into Titles, especially in Title the fifteenth. A Book of Answers of *Papian*, is hither also to be reckoned, collected out of the *Roman* Lawyers and Laws, though it's thought he was a *Burgundian*, and did it for the service of that Nation. Moreover *Juridical* Notes used in publick Monuments and Books of the Civil Law, before *Justinian's* Collection. Of these are published several Treatises of ancient Writers, *Vulsius Macianus* his Book also de *Affe* and the distribution of it, necessary for knowledge of Institution of Heirs and many other things, and thought fit by *Cujacius* to be read before the Institutions. To these it's thought fit to add such as have written Books concerning Boundaries, (*Finium regendorum*), as *Siculus Flaccus*, *Frontinus* and *Aggenus Urbicus*: And the *Notitia Dignitatum* so often mentioned by us. Then in the last place as for Imperial Constitutions, there is a Collection of the short Rescripts of *Hadrian* left done by *Galdastus*. A Constitution of *Gordian* concerning Marriages contracted contrary to Order, and de *Dote Caduca* published by *Cujacius*. Some remains also there are of the old Imperial Constitutions, collected in the two Codes *Gregorianus* and *Hermogenianus*, to which several might be added out of divers Authours. Of the *Theodosian* Code and the Novels, *Theodosius* and other Emperours before *Justinian*, great mention has been made in our second Part, and here we need to say nothing more concerning them.

97. If *Justinian* was guilty of destroying the Writings of these ancient Lawyers, he was justly punished himself with a certain *Lex Talionis*. His Books continued in esteem and use in the Schools and *Forum* for forty years, till *Phocas* the Emperour despised all Law and Equity. Afterward they were in a little use and esteem two hundred years, but then *Basilius Macedo*, out of Envy it's said, did what he could to abolish them, and he and his two Sons, *Leo* and *Constantinus Porphyrogenitus* made new Collections, viz. an Epitome of *Justinian's* Code, and another large work called *Basilica*, which continued to be the Standard of Law at *Constantinople*, till the end of that Empire; *Justinian's* Books being wholly neglected and forgotten. Yet out of his Books were the *Basilica* Composed; and though the said Books were not known in *Italy*, and the Western parts, for five hundred years after his Death, yet by chance the Pandects were found at the taking of *Amalfi* in *Italy*, in the War betwixt *Pope Innocent* the second, and *Rogerius* King of *Sicily* and *Naples*, about the year MCXXVII, since which time *Justinian's* Law has revived, flourished, and continues to be indeed the general Law of *Christendom*, one single Kingdom excepted. Of the Errors committed by the Compilers enough has been said; but withall a Necessity of reducing the Law into narrower bounds, than formerly it was hath been shewed. And considering the loss of the Writings of the Ancients especially, the World is happy that the Collection was made, for so it esteems it self in it, all Nations, as was said, that are governed by Laws, embracing them as the most exact form of that Nature.

98. We have now done with the Wars, and also the Laws of *Justinian*. And though from a Man's Actions so much in publick as these were, an indifferent Character might seem easie to be drawn; yet there is a Book which hath done it to our Hands, though the Pourtraiture be very ugly, and the work it self very bad. But it is fathered upon no other Pencil than that of *Procopius*, whose Lines hitherto we have had reason to commend, and it is dressed and presented to the World, with as much advantage as possible, by a very learned hand; we must not be partial, but must open and discover this piece, and then we must be so just withall, as to make Observations upon it, such as it self and other Writings shall suggest; to doe right as near as may be, to truth and Persons.

S E C T. III.

The Character of Justinian.

IN the first place, where the Writer takes him in hand, and considers him as the Heir Apparent of the Empire, in the days of his Uncle, he pronounces this concerning him, that at length he proved the Author of so many and so great

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The Author's
general charge
against Justinian.

great Mischiefs, as never had been heard of in former Ages. That he was prone to invade the Rights and Possessions of other men, and so much to the slaughter of them, that he esteemed it but a trifle to destroy many Myriads, which were not guilty of the least offence. That he never would stick to any thing already determined, but still thirsted after Novelty and Change, and the utter Destruction of whatsoever was excellently constituted. That with the Raging Pestilence, we have formerly described, some men although very few were infected, and others though seized with it, yet Conquered it's Malignity. But the ill influence of Justinian's Government, no Roman whatsoever but sadly felt, who being ordained by Heaven for a common Scourge and Plague, none escaped him; some being wickedly Murdered, others constrained to lead a Life made miserable by penury, to whom Death would have been a great kindness, and others deprived both of Fortune and Life together. He thought it not enough to destroy the Roman Empire, but would turn his Forces also upon *Africk* and *Italy*, that the Nations there Inhabiting, might also perish with those that were subject to his Command.

In particular.

He caused to be
slain Amantius
and Vitalianus.

2. On this fair Text as fairly he Comments by these particular instances, which amongst others he heaps up against this Prince. Scarcely had he been in Power ten days, when *Amantius* chief of the Eunuchs, with others, he commanded to be killed, because they had spoken something awfully, concerning *John* the Bishop of the City. *Vitalianus* the Tyrant he caused to be put to Death, notwithstanding the publick Faith given for his Security, at the Celebration of the Sacred Mysteries. In the Faction of the Citizens he so far encouraged, or rather excited the *Veneri* to their seditious practices, that thereby the Roman Empire seemed to be shaken from its Basis, and the Cities were made desolate, as by the Invasion of some Enemy, some terrible Earthquake, or a Contagious Sicknels. Yet these horrible Disorders did nothing so much perplex the minds of good People, as his Carriage in reference to such a Mischiefe. For when men suffer never so much from violent or unjust Oppressours, yet still they are comforted with the thoughts of Justice, which they expect from the Hands of Magistrates, and such as ought to demean themselves as maintainers of the Laws. But Justinian was so far from giving them any Redress, that he manifestly favoured both by word and deed those Riorous Persons, giving great gifts to some of them, and conferring upon others Offices of Magistracy, and places of Dignity. Therefore this Mischiefe, like a Gangreen, spread over the whole Empire, not one City being free from the Factions of those two Parties. And as for the Emperor, he never regarded how matters went, nor in the least did such things affect him, as were done under his own Eyes in the *Circus*. For he was unpeakeably dull and senseless, most like to a slow and stupid Ass, following which way soever he was drawn by the Bridle, and moving also his Ears when he lifted, as that and other Animals are wont to doe.

He exhausts his
Treasure.

And is rapacious
in recruiting it.

Like to Domitian.

He was a Fool,

But very cunning.

3. After he came to manage Affairs upon his own sole Concernment; whereas it should have behoved him to have special regard to his Treasury, he as it were set himself by all means possible to exhaust it. The *Hunnes* and other Barbarous Nations, by bribing them to quit the Territories of the Empire, he irritated and provoked to make more Incurfions; for after each Invasion, they still presumed they should not fare worse than they had formerly done. Vast Sums he drowned in the Sea, thinking to give bounds unto that Element, and by great heaps of Stones and Rubbish to oppose its natural force and motion. Yet the Estates of Private men he greedily devoured, objecting to some feigned Crimes, and pretending that others had freely bequeathed to him their Fortunes. Most that were guilty of Parricide and other heinous Offences, redeemed their Lives by all they were worth. Such as were at Law with their Neighbours, about any Lands or Possessions, and had no good Title, made it over, such as it was, to the Emperor, whose Relation to it took away presently all flaws. Here our Authour, though contrary to all method and order, cannot dispenze with a fancy come into his Head, but must needs compare our Emperor with *Domitian*. First, as to the form and lineaments of his Body. For he was of a middle Statute, indifferently Fat, of a beautiful Countenance, though something long Vilaged; his Complexion being Ruddy, after he had fasted two days together. Then as to his Disposition, he was absolutely ill Conditioned, and as apt to be deceived, being both a Knave and a Fool equally with the other. Yet though he lay exposed to the tricks and artifices of other men, was he the greatest dissembler in the World, speaking nothing but upon design, and his Heart and Tongue never agreeing. He was the most perfect in the Art of Dissimulation that ever was man, covering his Deceit, hiding his Indigna-

Indigna-

Indignation, and concealing his Resolutions with the greatest craft imaginable.

Subtle and de-
vours in what
was taught.

More Calamities
under him than
ever before him.

The Original of
Theodora his
Wife.

A Comedian.

Mistress to He-
rodian, who call
her off.

4. He could laugh or cry according to the present occasion. His breach of Faith was not single, but accompanied with violation of all sacred Obligations. In his Friendship he was utterly uncertain, and in his Enmity inexorable. Gold and Bloud he equally thirsted after, with a kind of insatiableness. Nothing did he more delight in than Contentions and Innovations. Easily was he perwaded to whatsoever was naught, but to what was good could not be drawn by any motives. In devising and executing what was wicked, he was very subtle and dextrous; but the very Name of Honesty he could not endure. Thefts and very many other vices abounded in him, above the proportion of humane Pravity; for Nature had as it were taken them by parcels from other men, and with them patched up his Disposition. Accusations he readily admitted, and as readily punished. For he never heard a Cause thoroughly, but as soon as the Accuser had done, immediately gave Judgment, and by his rash decrees, ordered the Destruction of Places, the burning of Cities, and Plundering of Nations of whatsoever they had. All these things considered, our Historian doubts not to affirm, that if any one will well consider what Mischiefs formerly happened to the *Romans*, and compare them with the Calamities suffered under this Prince, he will find greater slaughter of men, to have been made by this one man, than in all ages which went before him put together. Then repeats he again, what he had formerly said concerning his spoiling private Persons of their Estates. And that he may finish all in a word, he assures us that this Emperor neither had any money himself, nor suffered his Subjects to have any; as if he did not so much deprive them of what they had out of Covetousness, as envy at their prosperous Condition, for he exhausted and made beggerly the whole Empire. Such was his Disposition and temper, the pretended *Procopius* tells us, as near as he could reach it. Then he comes to his Wife, to describe her Original and Education, and how in Conjunction with such an Husband, she utterly ruined the Roman State.

5. At Constantinople lived one *Acacius*, whose Calling and Employment it was to feed and look to the Beasts which belonged to the Faction of the *Prasini*, and were wont to be baited on the Amphitheatre, being commonly from the Bears called *Arctophorus* or *Vrsarius*, as we use to say the Bearward. He dying in the time of *Anastasius* left three Daughters, *Comitona*, *Theodora* and *Anastasia*, whereof the Eldest was scarcely then seven years old. Their Mother married a second Husband, but *Asterius* Master of the *Orchestra*, who by virtue of his Office had the disposal of the Place, sold it to another, and so turned out the Mother, her Husband and Daughters. She being reduced to a great strait, when she saw the People flock thick to the Shews, put Garlands upon the Heads and Hands of her Daughters, thereby presenting them as humble Supplicants. The *Prasini* rejected both them and their Petition; but the *Veneri* at that time wanting a Bearward, readily entertained them. Being thus provided of a Livelyhood, and very handsome, yet their Mother as they grew up, put each of them upon the Stage. *Comitona* the Eldest was accounted one of the eminentest Courtiers of her time, on whom *Theodora* when young waited in Quality and Habit of a Servant, carrying after her on her Shoulders the folding Stool, on which she was wont to sit in the places where Company resorted. But as soon as she came to Woman's Estate, she also put her upon the Stage, and she became presently a Strumpet, such as the Ancients called *Planipectes*, pretending neither to Musick, Singing, nor Dancing, but prostituting her self to every one as she had opportunity. After this she Acted with the *Mimicks* or Clowns, all sorts of Farjes, being so ready of her Tongue, that she was presently taken notice of, and of such a demeanour, that she more and more attracted the Eyes of the beholders. For she was complaisant throughout, not talking ill any word or gesture how obscene soever; however men behaved themselves to her, she would set up a Laughter, and that was all.

6. Therefore all sober Persons esteemed her no better than a Plague-fore, and who ever met her in the morning, accounted it a sign of ill luck. Afterward *Eusebius* the *Tyrian*, Governour of *Penitapolis*, carried her down into his Province as his Mistress; but presently taking some Conceit against her, he cast her off again, and so to get Bread she was constrained to prostitute her self as formerly. She first tried her Fortune at *Alexandria*, and thence passing through all the East, returned to Constantinople, where she drove such a trade, as no man ought to name who would have Almighty God his Friend; it's certain that the Devils so provided, that no place should be free from her Impure practices, and so she was born and bred as one that was to be the most famous of all Whores, of what Ages soever. Indeed

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See in the
History of Alexan-
dria, decessu
rum interdictis.
Alex.

the

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the Authour of the Antiquity of the City of *Constantinople* writes, that *Theodora*, the Wife of *Justinian*, after her Return from *Paphlagonia*, lived in *Embolus*, where the spun Wool for her living, and after she came to be Empress, built a Church, which she dedicated to *St. Pantaleon*. Now in this part of the City, called *Embolus*, as formerly on the Bank side in *Southward*, and in the *Lapell Street* at *Antwerp*, lived the most common and poorest sort of Strumpets; therefore is to be found in *Pliny*, *Mulier Embolaria*, concerning which the Critics have wasted so much paper. For the word *Emboli*, in the plural number, signifies the same with *Porticus* in Latin, from the *Fornices* or Arches of which, Women being called *Fornicariae*, and consequently the word Fornication coming; so from the *Porticus* or Galleries themselves, in Greek *Emboli*, those Strumpets were also named *Embolariae*.

Byzantii proutille ait usque ad *Tyranidibus* *Embolus*, *Porticus* *Troadensis* vocat Autor Antiquissimus Descriptionis urbis *Constantinopolis*. *Alemann.* ad pag. 42.

Justinian falls in love with her.
Being his Mistress he makes her a Patrician.

7. But *Theodora* had not been very long at *Constantinople*, e'er *Justinian* fell most passionately in love with her. At first he converted with her as his Mistress, being promoted to the degree of a Patrician, and the so far made use of her time, and his fondness, as to heap up a great deal of Wealth. Yet so long as *Euphemia* the Empress lived, who was otherwise indulgent enough to him, he never could obtain Licence to marry her; but the dying, and *Justin* the Emperor, her Husband, doating, through the extremity of his Age; he who had all the power in his Hands, began to be feared on all sides, and resolved to improve his Interest and Opportunity to the accomplishing of the Marriage. But there was a great rub in the way, which must necessarily be removed. This was an * ancient Law which forbid Men of Senatorian Rank to marry Strumpets, or any other of such base or unlawfull Callings, which by a cross Constitution he caused the Emperor, his Uncle, to repeal, which done, he married *Theodora*, and opened the way for other Persons of Quality, to bestow themselves in such unequal and disparaging Matches. The Constitution is yet extant in the Code, but these four Letters *J U S T*, being prefixed to it in ancient Manuscripts, gave occasion of mistake to learned men, who therefore have thought it made by *Justinian*, as the Title shews in the very last Edition. But there's no doubt but *Justin* was the Authour; for into the Code have crept several other false Incriptions, and Subscriptions also, as *Alemannus* shews in many particulars. And there was another Constitution of *Justinian*, of the same subject, quite different from this, containing not only more Chapters, but also some contrary matter, which though it be not now extant, yet is there the sum and substance of it in a Rescript to the Bishops, written to the same purpose. This Constitution of his Uncle, *Justinian* did not only confirm, by this Edict, but several other Novels also. And this is observable, that as after several express Laws about the Marriage of Senators, (as the *Julian*, that of *Constantine* and of *Martianus*;) it was now first heard of in the *Roman* World, that they could marry with base Persons; so in this Constitution of *Justin*, there is only made mention of Stage-players, such as *Theodora* was, although in that of *Constantine*, antiquated by it, several other * sorts be expressly mentioned.

data illa Instrumenta requisita in illa Justinianus, non autem Imperatoris Rescriptum, in hac vero contra Justinus sancivit. Hec explicatis habes in Justiniani Rescripto ad omnes Episcopos quod Græci rite exhibet ex vaticana Bibliotheca Alemannus in ad. ad. An. Hist. p. 4.

* *Andelle, Libertas, Scenica, Tabernaria, Lenonum et Aretariorum Filia, quaque meretricia publice profectura. Alem.*

He marries her.

8. *Justinian* and *Theodora* now married, began their Reign the third day before *Easter*, when it was not lawful to salute or wish well to any Man. Indeed such was the custom then in the Church, that although in Celebration of Divine Service the Priest prayed for Peace, after the usual manner, yet in memory of the Passion of our Saviour, they abstained from the cheerful Kiss of Peace, and from Salutation. The beginning of their Domination falling out on this day, the Authour accounts it an Omen of the Wars, Conspiracies, Plagues, Prodigious and Earthquakes, which fell out in the Reign of *Justinian*, who having it in his Power to make his choice out of the most beautiful, most rich, and every other way most accomplished Women which the whole *Roman* Empire afforded, could fix no where but on one of the most vile and filthy Strumpets in the World, and prefer the Embraces of one defiled with many other Villanies, besides the Murder of many abortive Infants, before the Bed of any chaste and pure Virgin whatsoever. Yet was there not one man that opened his Mouth against so foul an Indignity, not a Senator, not one Churchman; but such as had formerly seen her act upon the Stage,

now,

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now, with Hands lift up, protested themselves her Slaves and Vassals; and the Souldiers vowed, they would, for the sake of *Theodora*, encounter with all Difficulties and Dangers. Indeed she had a lovely Face, and was otherwise also very tempting; She was of little Stature, and had very quick and rowling Eyes. They acted all things with joynt consent, though at first the World believed they were of contrary Inclinations; but this they counterfeited by agreement, the better to conceal and carry on their Designs. Sometimes he would take the part of the *Venetis*, and then the would seem to be against them, and they would complain that they were disrespected by each other. In Law Suits, and matters of Controverisie, the one sided with the Plaintiff, and the other with the Defendant, and to be sure he that had the worst Cause carried it, giving ever one half, or more, to gain the other. Many Persons he pretended to favour, and suffered them to pill the Commonwealth at their pleasure, whom he must accuse and prosecute, fore against his Mind, as he pretended, who would seem to take their part, but in the end they must bleed out their Wealth into his Coffers. By these Arts they carried on their work with much ease, and established their Tyranny, so as it was not to be shaken.

They act cunningly, and with design.

Vide Eusebium Imaginis illius dum adhuc vivebat, apud Alemannum. ubi figur. p. 47.

9. Being come to the Administration of Affairs, after his Uncle's death he immediately set himself to overturn the whole frame and posture of all things, as if he had put on the Imperial Ensigns for this very purpose. For, abrogating the ordinary forms of Laws, of Magistracy, and the *Militia*, he brought up new Models of his own Invention, without any shew of Reason, but that every thing might receive a mark from his Name; which also he bestowed upon such things as he could not find a pretence to alter. The vast Treasures which he scraped out of the Ruines of numberless families, he either prodigally spent upon Barbarians, or consumed in extravagant Buildings. Whereas the *Romans* had Peace one with another, he, impatient of Rest, and thirsting after Blood, set the Barbarians together by the Ears. He gave vast summs to the Captains of the *Hunnes*, to procure Peace and a good Understanding, as he said; but they, like Beggars that had fared well at his door, cried Rost-meat, and sent their Neighbours to speed as they had done, who entering, and wasting the Emperor's Dominions, constrained him to purchase Peace from them at the like rates. Hence came it to pass that there was no end of War, but it was handed, as it were, from one to another, there never wanting Commanders amongst *Hunnes*, *Saracens*, *Sclavi*, *Perfians* and other Barbarians, whose mouths were to be stopped as well as those of others, and consequently there was hardly a Mountain or Hole in the *Roman* territories free from Devastations, many Provinces having been five times, or often, wasted in his time. Vast Treasures did he employ in purchasing Peace from *Chosroes*, the *Persian* King; but then again, without any reasonable cause, he would break the League, by drawing into a Confederacy of Arms against him *Alamundarus*, the *Hunnes*, and other Associates of that Crown. The Provinces being thus exhausted, and no way replenished, except by great Effusion of Man's Blood; that he might make the greater spoils, he involved them in farther troubles, upon the Account of Religion.

He brogates the old, and introduces new matters.

How he spent his ill gotten money.

Introduces troubles about Religion.

Severe against Sodomy.

10. But having filled his Treasury with Confiscations upon this account, and procured the Destruction of more than an hundred thousand Men; he fell upon such as he supposed, or would take for granted, to be guilty of Sodomy. He proceeded against them by making a positive Law, faith our Authour, for that purpose; and indeed there are two several Constitutions of his extant, upon this subject, as *Alemann* observes, whereof one being made upon another occasion, and the other bearing date of the eighteenth year after the Consulship of *Basilus*, there is no doubt but that which was made in the beginning of his Reign, as this *Procopius* hints, and as *Theophanes* plainly tells in his second Year, hath miscarried. The occasion of the severity used against this sort of Offenders, *Theophanes* writes to have been given by two Bishops, *Elsaias* of *Rhodes*, and *Alexander* of *Dispolis* in *Thrace*, who being found guilty of this Crime, were put out of their places, and severely punished, having their Members cut off, and then being led through the City, with a Crier before them, making this Proclamation, *All ye that are Bishops, beware that ye dishonour not your Reverend Dignity.* Wherefore, faith he, the Emperor published severe Laws against those libidinous Persons, and many were punished by virtue thereof. These surely are they which this *Procopius* detesteth as severe, and inflicting indecent punishment upon the Offenders. He mentions only loss of their Genitals, and then exposting to open shame; but *Cedrenus*, and others, farther add, that some were tormented by sharp Reeds, thrust into their privy parts. At first, this Severity was not used towards all, but either such as were of the Faction of the *Prasini*, or were reputed very rich, or were out of the Prince his favour.

Anonym. in chron. apud Alem.

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favour. But herein appeared his Cruelty and Injustice, that when no body prosecuted, and upon the Testimony of one single Witness, sometimes a Boy, and sometimes a Slave, who was compelled to appear against his Master, he would proceed to Sentence and Condemnation.

Against Astrology.

11. Astrologers he could not endure, and upon this account roughly handled certain Magistrates, whose Employment it was to punish and prevent Robberies. Being ancient Men, sober, and of good Repute, he caused them to be fet on Camels, to be consummously carried through all the City, and lashed on the Shoulders, for no other Crime but being skilfull in Astrology, and living in the City. For such like Reasons as this, a great multitude of men fled their Countrey, betaking themselves not onely to the neighbouring Barbarians, but to the Nations at greatest distance from the Roman World, and in most Cities you might have seen Strangers come from far to hide their Heads, as if their own Dwellings had been wasted by the Incurfions of some Enemy. All the wealthier sort of Senatours, whether living at Constantinople, or other Cities, he outed of their Estates. There was one Zeno, Nephew of that Anthemius who was Emperor in the West, and him they named Governour of Egypt by design. The Ship, appointed for his Transportation, being laden with his best Moveables, abundance of Money, and vessels of Gold, set with precious Stones of exceeding great value, the Emperour and his Wife persuaded those that were intrusted with the Treasure, to convey it into a place appointed, and then to set fire to the Ship, which he must be made to believe perished by accident. And not long after Zeno dies suddenly, whereupon they seize on all his Estate, producing a certain Testament, which the World verily believed he forged. By virtue of the same trick they made themselves Heirs to Tatianus, and others of eminent note in the Senate. The Estates of some they invaded by counterfeit Letters, and by that means became Heirs to Dionysius, that lived in *Li-Vide Parag. banus*, and to John the Son of Basilus, the most eminent Man in *Edeffa*, who, fore 1333 *hujus* *cap.* against his mind, was, as we said before, delivered as an Hostage to *Chofroes*. When he had once got him into his Hands, *Chofroes* pretended the Conditions were not performed on the Roman part, and refused to fet him at liberty without Ransome. This coming to the knowledge of his Grandmother, she sent away two thousand pounds of Silver to redeem him, which being come to *Daras*, into the Emperour's Hands, he forbad any thing to be concluded with the *Perfians*, lest, as he said, the Wealth of the Romans should enrich the Barbarians. It happens in the mean time, that John dies, and then does the Governour of *Daras* produce a Letter, whereby the Deceased made the Emperour Heir of all he had, and signified that to be his last Will and Pleasure.

Make themselves Heirs to many Persons.

12. But it's hard to say, thus our Authour proceedeth, to how many Men they made themselves Heirs. For before the Sedition of *Nica* happened, they made their choice here and there; but afterward they fold the Goods of the Senatours by heaps, taking out of them what they thought fit, and appropriating to themselves the best Lands; onely out of their abundant Mercy they left some parcels, most obnoxious to Taxes, to the right Owners, who tired with the exactions of the Collectours, and the Importunity of their Creditours, were weary of their miserable Lives. Wherefore to me, and those of my rank, saith this Authour, these two seemed neither Man, nor Woman, but some pernicious, incarnate Devils, ordained for a Plague to Mankind, consulting how to destroy and root out all Nations upon the Face of the Earth, and, like Furies in humane Shape, vexing, disturbing and tormenting the whole World. But he makes them worse than Devils in respect of their wicked Tempers and Dispositions. Many there have been in former Ages, saith he, whom either Nature or Occasion have made very terrible to Mankind, who have been the ruine of Cities, Provinces, and some whole Countries; but none like these could ever turn upside down the Frame of the whole World, to whose Councils Fortune always was subservient, and ever at hand, for the destruction of Mortals; for at the same time such desolation was made by Earthquakes, Plagues and Inundations, that they seemed to have been procured by them, in some extraordinary way, beyond the limits and methods of humane Power. Indeed it's reported, he adds, that Justinian's Mother, by some of her most intimate Friends, has been heard to say, that he was neither the Son of *Sabbarius*, her Husband, nor of any other Man living, but that a certain *Dæmon* came and lay with her, whom the onely felt, and could not see, by whose Incubation she presently conceived. Some also of his Chamber, watching by him, have seen in the night a certain *Spectrum*, or *Dæmon*, appear in his likeness.

The Authour thought them to be Devils incarnate.

13. Another

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Several Stories to that purpose of Justinian.

13. Another affirmed, that he had seen Justinian rise hastily from his Seat, (for he never fate long) and as he walked, his Head suddenly was dissolved into air, the trunk of his Body still keeping in motion, and observing the accustomed methods of walking; which when he admired, and blamed his Eyes for so deceiving him, presently his Head would return to his Body again. Another related how as he stood by Justinian, he saw his Face turned instantly into a shapeless piece of Flesh, without the print of any Forehead or Eyes, and then again a resemblance of a Face as speedily returned. Our Authour tells you, he did not see these passages with his own Eyes, but writes those things as were in great seriousness affirmed to be true. Another Report went, that a certain devout Monk, persuaded by some of his Brethren, came to Constantinople to plead the cause of the neighbouring Countries, which were very much burthened, contrary to all Law and Equity. Being easily admitted, when he came to the Threshold he still retired back again, which the Eunuch that brought him in, and other by-standers, admiring, asked him seriously what the matter was, and why he went not forward, but he, like a mad Man, in silence returned to his Cell, where being importuned to tell the true Reason, he affirmed, that he saw the Prince of the Devils sitting on a Throne, whom no Man could well desire either to go or speak to. And why may not this Man seem a *Dæmon*, who never did eat, or drink, or sleep, to speak on, but onely tasting of the meat set before him, presently rose from the Table, and spent the night in walking about the Court, being also devilishly inclined to the sin of Leachery?

And Justinian scarcely did ever eat, drink or sleep.

And was lecherous.

Stories also of Theodora.

Yet Justinian was affable.

Except importuned to shew mercy.

Much of ill-gotten Goods he gave to Churches, and why.

Cruel upon the account of Religion.

Tribonian's flattery.

14. As for Theodora, while she was yet a Player, her Gallants reported, that Spirits were wont to spend a great part of the night in her company. As the returned to Constantinople from Egypt and Africk, being much perplexed with the ill usage she had received from the Hands of *Hecebolus*, one *Macedonia*, a Woman of the same Profession, comforted her, and bad her not despair of better fortune, which would be able to give her great Wealth, and make her a sufficient compensation for her present penury. To this she answered, that as for Wealth she was not at all solicitous, being the last night bidden in a dream to take no thought about it; for when she was come to Constantinople, she should be preferred to the Bed of the Prince of the *Dæmons*, or *Genii*, and being by the power of Art once married to him, should be instantly possessed of the greatest Riches the World could afford. These things were credibly reported, and believed by many. But Justinian, however otherwise qualified, yet carried himself with great gentleness and affability to all. No man was denied access to his presence, neither would he be offended with any *Indecorum* that happened, either in word or gesture. He never shewed any sense or compassion at the sufferings and Miseries of his People, yet against such as had offended him would he carry himself with that calmness and evenness of Temper, that with a pleasant look, and a low voice, would he give order for the destruction of an infinite number of innocent Persons, the devastation of Cities, and the setting of their Goods to sale. But in case any one petitioned him in their behalf, or implored his Clemency and Compassion, then would he frown and swell, and pertinaciously adhere to his former Sentence. Such Churchmen as incoached upon their Neighbours, he would protect, esteeming it a choice piece of Piety so to do. When any such Causes came before him, he thought himself obliged by Religion to give the Victory to such as had got any thing into their hands, though never so unjustly, upon that account. Much of his ill-gotten Goods he gave to Churches, to cover his Crimes with a Veil of Piety, and that they might never any more return to the right Owners.

15. By this preposterous sort of Piety, he defiled himself with infinite Murthers. And he laboured with all his might, to bring all men to be of the same Opinion concerning Christ, under which Religious Pretext he deprived many of their Lives, not accounting that Murder, which was acted upon men of a contrary Judgment. He had a mind as light and unstable as dust in the Wind, easie to be drawn to any thing but Humanity, and from any thing but Covetous desires. With flatteries he was much taken, whom he easily believed that he should be taken up into the Air, *Tribonian* his Assessor earnestly affirming that he was in great Fear, lest for his singular Piety he should suddenly be rapt up into Heaven. This piece of flattery or Jeer he firmly believed. If Theodora at any time found him averse to any of her Proposals, she had nothing more to do than to bait her Hook with hope of Profit, and she might lead him whither she pleased. Therefore did he make no difficulty at all, to enact and repeal Laws, if there were any Money to be got by it; neither would he hold the Judges to the meaning and intent of his

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Nothing false in Religion, or other matters in his time.

He was of a sharp Wit, to put mischief in Execution.

All his Anfers in point of Law, he himself dictated without his *Quæstor*.

The Senate signified nothing.

Theodora Prodigiously Cruel.

own Constitutions. In his time, there was no constant or firm Opinion concerning Almighty God; no Faith nor stable Law, Covenant or any thing else that was constant. Such of his Officers as were cruel in the Execution of his Orders he prized, and hated such as shewed any Humanity, which caused some to make a shew of Naughtiness, who otherwise were Vertuously inclined. He often abstained from meat for two days together, especially in the Holy Week, or that preceding *Easter*, drinking only a little Water, eating a very few Herbs, and sleeping the space of an hour; the rest of his time he spent in walking. Had he employed his Talent all this while in the Affairs of the Commonwealth, it would have been most happy under him; but using these natural Abilities, and improving his Watchings, Labours and Endeavours, to the disquiet of his Subjects, especially being of a most sharp Wit, to invent and put Mischief in Execution, the natural Parts and Endowments he had proved the Plague of the Commonwealth. There was no encouragement under him, for doing any business. Neither was there any Footstep or shadow of Antiquity. But here saith the Writer of these Accusations, lest I should be tedious, I will explain my meaning in a few things, and pass over the greater part; how truly let the Reader judge.

16. In the first place he neither did any thing, nor cared for any thing which was becoming imperial Majesty, accommodating himself to the Manners and Customs of the Barbarians in his Speech, Habit and Disposition. The Answers which of Course he was to make in writing to any Consultations, he did not commit to the Care and Discretion of the *Quæstor*, as the Custom was, but he himself for the most part spake and pronounced them, although he spake very bad Greek. Many Persons therefore came and required Justice, but had no Judges, before whom they could proceed. The Secretaries, who of old time were intrusted to write things never so private, now would not he admit to any such business; but dispatched all himself, and dictated the very Judgments of the Magistrates of the *Municipia*, allowing to no Body the Liberty of declaring what was Law, but arrogating all things to himself, and deciding Causes upon hearing of one Party. Through this covetous humour of his, oftentimes it came to pass, that he and the Senate made contrary Decrees concerning the same thing; although indeed the Senate now signified nothing at all, only assented of Course, because it was an ancient Custom so to do, having no Power at all to do Right or Justice to any man, but what the Emperour and Emperess before resolved, that ever passing and concluding. If any one doubted of his Cause, for a sum of Money he could procure the Prince to antiquate all former Laws, and make a new Constitution for his very purpose. But if again it happened, that any could receive benefit from the abrogated Law, for the same Cause and Consideration, he could recall it as it were from Banishment, *Tantum ex postliminio*.

17. The *Referendarii* were hardly permitted to present Petitions according to the Nature of their employment, or to declare their Judgment concerning them, yet making use of the time, and of the disposition of the Emperour, who was apt enough to be deceived, they put false Colours upon things, and Cheating him first, abused also their Clients by false Representations, and squeezed out of them great sums of Money. The *Pretorian* Guards in the Court, forced the Judges to give Sentence as they pleased; so that there was no Order, nor any certain Course or Government, every one acting what he listed in despite of the Laws, and all things being deformed and broken, not so much as their Names intire and safe, so that the Commonwealth at this time resembled a wanton Queen of Children. But the Emperour was persuaded to this Trade of selling Justice by one *Leo a Cilician*, a man of insatiable Avarice, and as great Flattery, by whom being instructed in the Mystery he never after left it off; but Couzened as well the Plaintiff as the Defendant. To be sure there was nothing to be obtained by Force of any Law, Promise, Bill, Stipulation or any Contract, but only by Money given to *Leo* and *Cesar*. *Theodora*, on the other hand, had a mind so prone to Cruelty, that she seldom acted by direction of any one whomsoever; but with Pride and Violence, did whatever came into her Head. No Prayers, Petitions, or Intreaties could ever stop or allay her Fury. Not only did she retain, as her Husband did, Malice to the death of the Party, against whom she had once conceived hatred, but trampled and insulted upon their very Ashes, the Children together with the Inheritance, receiving her Indignation and transmitting it to those that came after them. Her Body she had special Care of, though not so much as she desired. Early in the Morning she entered her Bath, wherein having spent considerable time she went to Breakfast, and thence to sleep. At Dinner and Supper she had all plenty and variety of Meats imaginable,

imaginable. She slept both very long and often, and so using all manner of Intemperance, the small time she had to spare she thought to be sufficient for the Government of the *Roman* Empire.

No employment without her.

Hard of access.

And insufferably arrogant.

18. If any sought for employment without addressing themselves to her, they were sure to be dismissed with Disgrace. *Justinian* was by Nature fit for speedy dispatch of business, both by reason of his Watchfulness, the readiness of his Wit, and that easy access to his Person which all men found. But the greatest Nobles were forced to dance attendance, and could get hardly any admittance to the Emperess, standing by troops, like Slaves, in an hot and little Lobby, and glad still to stand, lest any mischief should come by their absence. And they stood with their Necks and Shoulders erected, and their Faces bearing out, so to be seen by the Eunuchs which passed out. After many days waiting they were hardly admitted, and that one after another, and these but such and such neither. Being come into her presence, they stood astonished, and presently withdrew, having first worshipped her, and kissed both her Feet, not daring so much as to speak, much less to ask any thing, except commanded so to do; so to servile flattery was the Senate it self degenerated, *Theodora* being sovereign Lady of the *Roman* Empire, which now went wholly to wreck, partly through the incredible levity of the Tyrant himself, and partly by reason of her difficult humour, which put a stop to all business. Her manner was, if any, with whom she was offended, were accused of the least Crime, to lay heinous things to their charge, and then calling such Judges as were fit for her purpose, to cause their Estates to be sold, then to have them most cruelly lashed, though they were descended from most noble Ancestours, and after this preparative, either to be banished, or put to death. On the contrary, if such as the favoured were guilty of Murder, or any other heinous Crime, she would sometimes pleasantly, sometimes with indignation, divert their Adversaries from farther prosecution. Such matters as were most grave, and of the deepest consequence, she would turn into ridicule, with laughter and a jest, as if she had still thought her self to be upon the Stage.

19. A certain Patritian there was, both deserving respect for his Age, and the long time he had been employed in Offices of Magistracy. This Man (our Author tells us he is obliged to conceal his name, lest to great an affront should be transmitted to Posterity) having a Debtor who was a great Confident of *Theodora*, and had been often solicited in vain to pay him his Money, he was resolved now to prosecute him, and came to the Emperess to beg the favour, that he might be indifferently dealt withall, and as the merits of his Cause might require. *Theodora* having warning of his coming, commanded her Eunuchs to compass him about, to have an Eye upon her self, and to echo out a Song, or company of Verses, which she would sing. The Patritian introduced, as the manner was, cast himself at her Feet, and being ready to weep, told her, that the case of a Patritian, who wanted Money, was very hard, because that thing which to other Men procured pity and compassion, to Persons of his Rank brought Disgrace and Misery. For if a Man of inferior condition were in debt, he might but reveal his case, and he had some relief; but a Patritian, though he could not pay his debts, yet to confess so much, was a shame, if he did confess it, no body would believe him, it being thought impossible that any Patritian should fall into Poverty, and if so be that credit should be given him, he were ruined in his Fame and Dignity for ever. Now truly, Madam, saith he, *I am both in debt, and have others indebted to me; I do not defraud my Creditours, which would tend to the disparagement of Men of my Quality, yet others endeavour to defraud me; wherefore I humbly intreat you would assist me in so just a Cause, and deliver me out of my present troubles.*

20. He making this his Complaint, *Theodora* sung the word Patritian, and then the Chorus of Eunuchs added, *Then art troubled with a Tumour or Hernia*. He continued still his Complaints, and she persevered in the same Tune; the Eunuchs keeping time as formerly, wherewith being much troubled he got him home, having according to the Custom done his Obedience to the insulting Emperess. The greater part of the Year she passed in the Emperour's Houses, situate near the City, and upon the Sea; but especially in that called *Hereum*, to the great damage of her Attendants, who following her thither in great multitudes were straitened of Provisions, and exposed to the Inconveniences of passing by Water, of Tempests and the Whale or *Porphyron*, formerly mentioned. Here it will not be amiss, to let the Reader know, that the Emperours had several Houses of Pleasure near *Constantinople*; as the *Hædomum*, or *Septimum*, seven miles distant, and not the seventh Region of the City, as some have imagined. Besides this, there were o. *Alaman* thers

The Emperour's Houses near Constantinople.

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thers which received their Names from their distance to Constantinople, Broia, Perga, or Fountains, first beautified by Justinian, as the certain Procopius writes in another Work. Then Eria or Sepulchres, where the Citizens were of old time wont to be buried, for to Cedrenus and Suidas write; but Procopius chuses rather to call the Place by its old Name Heraeum, which it received from the Chapel of Juno there standing. This place, which Justinian and Theodora chose for their Retirement, was so well furnished with every thing tending to Neatness and Pleasure, that several Poets, as Agathias (the Historian also) and Paul the Silentiary conceived it a fit object of their Wit. But besides, Justinian and Theodora, in their first Years were wont for their Pleasure to pass the time at Chalcedon, as appears by several Rescripts. And once for the recovery of her Health, she went as far as to the Baths of the Pythii; wherever she went or staid, carrying with her a mind implacable towards those, against whom she had conceived any Displeasure, or apprehended the least cause of Jealousie.

21. After that Amalasuntha, as Procopius declares in other Books, had resolved to quit the Government of the Goths, and thought of spending her days at Constantinople, Theodora presently began to bethink her self, that the might possibly have such a Rival, as by the Nobility of her Birth, her Royal Dignity, her singular Beauty, and sharpness of Wit, might so work upon the Levity and Inconstancy of her Husband's humour, as to bring her so small Displeasure, and therefore resolved to prevent her Journey, by sending her farther off, to another World. She persuaded Justinian to send Peter to her, with such a Message as we formerly mentioned; but having picked him out for the purpose, secretly joyined him to make her away, promising him great matters if he did it speedily. He overcame with her Temptations passed into Italy, and by reasons unknown to others, persuaded Theodatus to put her to Death, and was rewarded with the Office of Magister, wherewith he received great Power, but with it the Indignation and Hatred of all the World. This Office was that of Magister divinarum Officiorum, as appears from two Novel Constitutions, directed to him under that Title. He was born at Thessalonica in Illyrium, was one of the ordinary Advocates of Constantinople, being a Man of singular Prudence, powerful Eloquence, and excellent Temper, but excessively Covetous. After his return from Italy, and his Preference, he was sent Ambassador to Chiofores. He wrote a Book De Republica and an History, the Fragments wherof Alemannus saw in the Vatican Library. His Son Theodorus, called Contocheres, because one of his hands was shorter than the other, was accused of Treason in the thirty fourth year of Justinian.

22. There was one Priscus Secretary to Justinian for his Letters, a Paphlagonian born, and of an Humour very well suiting with his Master's Temper, whom he much loved, and doubted not but he was beloved by him again, and by his Favour arrived at great Wealth. But Theodora not brooking his high and slighting demeanour, accused him of we know not what to her Husband, which for the present did not take; but not long after, she makes him be carried aboard a Ship, and whither he was pleased to order, there to be shaven, and fore against his mind to be made Priest. Justinian in the mean time taking no notice of it, nor, as if he had been seized with a Lethargy, ever asking what was become of him, onely he so far remembered himself as to seize on that small Estate which was left him. Theophanes, Alemannus tells, in Confirmation of this story writes (and it seems he had it not from Procopius) that Priscus was made Deacon of Cyzicum. And the Reader must know (what otherwise the Course of this History will teach him) that it was an ordinary Practice of the Eastern Emperours, to cause such as to whom they would stop all Access to Worldly Honours, to enter into Orders though quite contrary to their Inclinations. Theodosius Junior is the first that's known to have begun this no-way laudable Custom, compelling Cyrus the Praefectus Praetorio, of whom he had conceived some Jealousie, to be Bishop of Smyrna. But after the later Greek Emperours, there were few that did not Practise it toward their Friends, Relations or others. But to pursue the story; there was one Areobindus a Barbarian born, but very beautiful, and of Theodora's Ward-robe, against whom, though she was to be thought to be passionately in Love with him, she conceived a deep Displeasure. Having first caused him to be cruelly Whipt, the afterward so disposed of him, as no body ever knew where he was. For whatsoever she would have kept secret, she so terrified her Instruments that they never blabbed it out, being herein more successful, than ever was any Tyrant living; on the contrary, she had so many, and so faithful Spies abroad, that nothing could be said or done by her Adversaries that came not to her knowledge.

Whom

Theodora procures Amalasuntha to be murdered.

Causes Priscus a Secretary to be shaven and made Priest.

An ill Custom of the Emperours, to shaven such as they would not have preferred.

Theodora conveyed away Persons, so as they were never heard of.

Hera Sepulchra.

"Hec illi in quo
Herae. id est
Jovis templum
hunc olim fuerit.
Alii vocant
hunc Pythium.
Vide Alem.
Antid. l. 4.
Vide Alem."

Kal. 3. 2. 2. 2.
Herae. id est
Jovis templum
hunc olim fuerit.
Alii vocant
hunc Pythium.
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Vide Alem.
Antid. l. 4.
Vide Alem."

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Whom she had a mind to punish without the Worlds taking notice, she would fend for him if he were a Patritian, and the alone would deliver him into the hands of her Officer, who should in the dead of the Night cover his Head, bind him fast and carrying him aboard, Transport him some whither into the utmost bounds of the Roman World, where he should languish till either her hard Heart relented, or Death made an end of him, and his Misery both together.

23. Bafianus a young Nobleman, of the Faction of the Praefecti, had spoken some Words of the Emperors; and understanding the would be even with him, betook himself to the Church of St. Michael. She bade the Praetor pull him out thence, and accuse him not of Contumelious Language against her Person, but of Sodomitical Practices. The young man was taken out of the Church by the Magistrate, and cruelly tortured. The multitude at the sight of his tender and beautiful Body made Exclamations, and required he might be dismissed; but this cruel Woman persisted in her Resolution, and causing his Privities to be cut off, destroyed him unheard and uncondemned, and then was his Estate confiscated to the publick Treasury. For if he was in a rage and set upon it, neither the Sanctuaries, nor Laws, nor the Prayers and Intreaties of the whole City could appease her, nor rescue that which she had appointed to Destruction. This farther appeared in the Case of Diogenes, a man well beloved and favoured by Caesar himself, as addicted to the Faction of the Praefecti. But concerning a Displeasure against him, she laid the Crime of Sodomy to his Charge, and endeavoured to suborn two of his own Slaves, both as Accusers and Witnesses against him. But this device not taking, by reason that the Dignity of the man required, that many and eminent Judges appeared upon the Bench, and the Testimony of the Slaves was rendered invalid, for want of Competency of Age, she got one Theodorus into her Clutches, a familiar acquaintance of Diogenes, and him she attacked both by fair Words and Tortures. For, perceiving she could make nothing of it, she caused a Leather Thong to be tyed about him, from the Forehead to the Ears, and to be twitched so strait together, till he hoped his Eyes would gush out of his Head, yet would not he lye for the matter, and the Judges dismissed the Cause, which had no matter of Proof, to the great Satisfaction of the People, which highly applauded them. What this Woman Practised against Belisarius, Phobius, and Buzes has been already shewn. Callinicus Praefect of the second Cilicia, for putting to Death two of that Countrey, who being of the Faction of the Veneti had attempted his Death, and killed his Servant, she caused to be Crucified at their Graves. The Emperour upon the News shed Crocodiles tears, grunted in his Palace, and threatened the Executioners; but so far received Comfort, as to seize on the Estate of the deceased. Euagrius makes mention of this Act of Cruelty, and says farther, that the Names Lib. 4. c. 31. of the men were Paulus and Festinus; whence it appears, that he had not the particulars out of the secret History, as Hubertus Giphanius did imagine.

24. Farther, Theodora as if she intended thereby to hide the filthiness of her former Age, set her self to punish all such Women, as prostituted their Bodies. Five hundred common Strumpets or thereabout the sent by Troops beyond the Bosporus, and shut them up in a Monastery, compelling them to lead strict and severe Lives, which some of them not able to bear cast themselves down Headlong in the Night. Two young Widows of the very chief Nobility, pretending they lived incontinently, the compelled to take Husbands out of the very dregs of the People, such as they could not but abominate, though they were of her chusing. They aware of her purpose, fled to the Church of St. Sophia, hid themselves in the Baptisterium and grasped about the Font: But no Sanctuary was so Sacred as to be inviolable, where her Passions were engaged. Their Mother to her great Grief was present at the Nuptials, and Theodora (though it was a wonder) at last detested what she had done, and to make them some amends got Preference for both their Husbands. But this proved no Satisfaction to them, their Husbands raging with intolerable Cruelty, against those that were under their Jurisdiction, as I shall hereafter declare faith our Authour; for as for Theodora, she had neither Respect to Magistracy, Commonwealth, nor any Office in the State whatsoever, not caring how things went, so she could but have her Will and fulfill her Humour.

25. Another thing there was, which happened to her whilst she was yet a Player, and must not be forgotten. She proved with Child by one of her Lovers, and as her Custom was endeavoured all manner of ways to procure Abortion; but nothing would do. Her Gallant perceiving her to be much troubled, that being big she could not follow her whorish Trade as formerly, took all care possible that she should not miscarry, and at last she was brought to Bed of a Boy; which na-

Her horrible Cruelty against Bafianus.

Against Diogenes.

Against Callinicus.

She punisheth Strumpets.

Whilst she was a Strumpet, had a Son named John.

"Quia si non
fuerit abortivus
fuerit, &c.
Abomina-
tionem &c.
veris maritus
mali."

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ming *John*, he carried with him into *Arabia*. Being at the point of Death, he opened to his Son now grown up, the whole matter concerning his Mother, who having buried his Father comes up to *Constantinople*; where he tells the story to her Servants, that he might get Admission. They thinking no harm, and rather with joy told her, her Son *John* was come. She fearing the Report might reach her Husband, sent for him in, and delivered him into the hands of one of her Domesticicks, whom she was wont to employ on such like Errands, who so disposed of him, that the wretched Youth was never after heard of, nor no man ever saw him since her Death. At this time the manners of almost all Women were corrupted, with all Impunity and Liberty injuring their Husbands; for when they were accused of Adultery, by her means they escaped, and their Husbands as a punishment of false Accusation were condemned to give them double Dower; some were ignominiously Whipped, and others imprisoned, and then again saw their Beds defiled, by such as were rewarded with Dignities and Employments for so doing. For this reason most Husbands dissembled the dishonesty of the Wives, and left they should be discovered, gave them all opportunities of playing the Whore.

26. All matters concerning Marriage, the would have wholly in her Power. The Case of *Romans* was now worse than that of the very worst Barbarians, who married according to their own Inclinations; but here it was not, who liked her or him, but whom *Theodora* pleased to put together. Often did she take away the Bridegroom out of the Arms, if not out of the Bed of the Bride, denying with Choler, that she ever gave her Consent to the Match. One *Saturnius* she thus used, and compelled him to marry the Daughter of one *Chrysomalla*, who had been once a publick Dancer and then a common Strumpet; yet together with *Indara*, another of the same Profession, was now taken from the Stage, and the Stews, into the Court to sit at the Helm of the Commonwealth. But *Saturnius* found his new Wife corrupted, and told a Friend that he perceived he had not married a Maid, which coming to the Ears of *Theodora*, she commanded her Servants to take him up as they use to do Boys at School, and Whip him soundly for his Tatling, she looking on and as he received the strokes, bidding him beware next time, and learn to keep a good Tongue in his Head. How she punished *John* the *Cappadocian*, we have said, faith this *Procopius* in other Books; she did not herein desire to revenge the Part of the Commonwealth upon him, but only gratified her private Malice; for the Truth was, he feared not to accuse her to *Cæsar*, and almost had brought her out of his Favour. Now the story of her revenge we must here relate out of the first Book of *Procopius*, concerning the *Persian War*; having purposely hitherto omitted it, and referred it to this as a more proper place.

27. The Emperess of all men living hated this *John* for Plotting against her, and accusing her to *Justinian*; and desired to kill him, but could not, the Emperour so much esteemed him. He knowing her mind, was deadly afraid, suspecting every Night to be murdered by some Barbarian in his Bed, so that he could not sleep; but was still peeping out, and searching the Entries, though he had about him some Thousands of Lancers and Targetiers, a thing never used by any Prefect. But no sooner was it day, but again forgetting all fear, both of God and Man, he became a Plague to all *Romans*, frequented Sorcerers, and harkened after impious Southsayings, vainly foretelling to him the imperial Dignity. Of his wicked Course of Life, he bated nothing, nor was God in all his Thoughts. If he went to Church, or watched all Night, he observed not the Christian Rites; but having on a courie Garment like a Heathen Priest, mumbled all the Night some ungodly Spells, to captivate more the Emperour's mind, and to preserve himself from mischief. To *Belisarius* he was very harsh, and still Plotted against him, because of all men he was most Renowned, and he himself by all men hated; but *Belisarius* being to goe for *Persia*, left his Wife *Antonina* behind him at *Constantinople*, where being the ablest Woman alive to Effect, and bring about hard things, to gratifie the Emperess he had this Device. *John* had a Daughter, his onely Child, named *Euphemia*, very modest, but young, and so easily caught. Her having by much Soothing, gained to her lure, and having her on a time above in her Chamber, she feigned to lament to her, her own Fortune; saying, that *Belisarius* found the Emperour ungratefull, and in other things accusing the Government as unjust.

28. *Euphemia* over-joyed at her Discourse, as troubled with the Government and fear of the Emperess, told her that they (meaning her Husband and her) were the Causes; who having the Power in their hands, would not use it. *Antonina* replied, that they were not able to stir in the Camp, if some in the Court con-

Whom she sent away so as he was never heard of, and why.

Women Generally corrupted.

The disposers wholly of Marriages.

And ordered *Saturnius*.

She hated *John* the Prefect, and Why.

Though a wicked man.

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curred riot in the Action, but told her that if her Father would, they might easily effect the matter. *Euphemia* promised the thing should be done, and departing related the matter to her Father; who pleased with it, and conceiving it led the way to the fulfilling of his Prophecies, and the Empire, without any pausing upon it consented, willing his Daughter to treat for a meeting the next day, that he might give her his Oath. *Antonina* desirous to prevent his Suspicion, said that to give him a meeting now would cause a Jealousie, and hinder all; but the being to follow *Belisarius*, when he had left *Constantinople* and was in her House in the Suburbs, thither he might come to take leave and bring her on her way, where they might confer, and both give an Oath and take it. The Night before he was to begin her Journey he came accordingly, and the Emperour being informed by his Wife of his Attempts to usurp, sent thither *Narjes* the Eunuch, and *Marcellus*, who commanded the *Palatine Guards*, with many Souldiers, and direction, to search out the business, and if they found *John* in any Plot to kill him, and so return. It was reported, that the Emperour advertised of this Course of proceeding, sent to *John* that he should not meet with *Antonina* secretly, but he neglected the Advice, it being his fate to be ruined; and about Midnight met *Antonina* under an Hedge, behind which she had placed *Narjes* and *Marcellus*, to hear what was said. There did he in plain Words consent to the Conspiracy, and confirmed it with most terrible Oaths.

He aims at the Sovereignty.

He is compelled to be Pious.

Forced to beg his Bread.

29. Then did *Narjes* and *Marcellus* break in upon him, but at the Noise, *John's* Lancers came presently in, and he escaped and ran to the City. If he had had the Heart to repair presently to the Emperour, *Procopius* verily believes he had received no harm, but by taking Sanctuary in a Church, he gave full scope to the Emperess to advance her Design against him. Therefore of a Prefect he was made a private man, and being removed out of that to another Church, standing in a Suburb of *Cyzicum* called *Artace*, was compelled to enter into the Orders of Priesthood, and named himself *Peter*. Yet did he not execute the Function of a Priest, left it should hinder his promotion to greater Offices, being unwilling to quit his hopes. His Estate was confiscated, but the Emperour remitted much of it; and was still inclined to spare him. And he had opportunity to use his pleasures without Control, and with moderation to esteem his Estate happy, at which all men repined, that being the wickedest Devil in the world, he should thus live happier than he did before. But God would not suffer his punishment to rest here, but prepared this greater scourge for him. *Eusebius* Bishop of *Cyzicum* was as harsh a man as *John* himself, and was accused to the Emperour by the Citizens, but having the better of it, some young men way-laid, and killed him in the Forum. *John* having great differences with this *Eusebius*, was suspected to be guilty of the Fact, and some Senators being sent to inquire into it, put him in the common Prison, and stript him naked like a common Thief, who had been so powerfull a Prefect, inrolled amongst the Patritians, and had sat in the Consuls Chair, than which dignity none was greater in the *Roman* State. Tearing his Back with many stripes, they forced him to reveal his own Life, of the guilt of the Murder there was no great argument, but the Justice of God made him suffer for abusing the whole world. Depriving him of all he had, they put him into a Ship naked, save that he had on one courie Coat that cost not much. Those that had the charge of him, wherefore the Ship put in, made him beg his Bread, and small monies for his subsistence; and so begging all the way, was he brought to *Antinö* in *Egypt*, where in all this Affliction he quitted not his hope of the Empire, but fell to accuse some *Alexandrians*, for Arrears to the Treasury. Thus much writes *Procopius* concerning this *John*, in the first Book of his *Persian History*. In the Secret we are told farther as to *Theodora*, that though she had thus got him into *Egypt*, yet would she never make an end of persecuting him, nor of furnishing witnesses for that purpose. In the fourth year after his Banishment, she got into her power two young men of *Cyzicum*, of the Faction of the *Praefini*, and thought to be of their Number that killed *Eusebius*. Upon these she set both by bad and good Usage, and one of them out of fear accused him of Parricide; but the other though so cruelly handled, that he was in danger of Death, refused to lye. Being therefore not able to doe any thing more against *John* by their Testimony, she cut off both their right Hands, because one refused to bear false witness, and left her Villany should be revealed by the other, desiring to keep close those things, which were done publickly in the Forum. Thus much concerning *John*.

30. Next our Author resumes his confused Declamation against *Justinian*, saying, the mischiefs brought by him upon Mankind, sufficiently made him appear not

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Vast numbers of
men destroyed
by means of
Justinian.

And vast Regions depopulated

not a man, but a *Dæmon* in humane shape, as he said before. None but God himself was able to give an account of the men destroyed by him, or to assign their Number, no more than that of the Sand. Yet considering all those Countries, which he had made Desolate, and without an Inhabitant; he affirms, two hundred and ten times an hundred thousand men to have perished by his means. To make this out, he gives you that account concerning *Africk* we formerly mentioned, after the Regaining of that Province. And what extravagance he committed in *Africk*, the same he saith was he guilty of in *Italy*, where he spoiled all by the Impellers and Gatherers of Taxes which he sent into that Countrey. Before the *Italian War*, the Dominion of the *Goths* extended from the seats of the *Galls*, as far as the Borders of *Dacia* and the City *Sirmium*. But when the *Roman Forces* were in *Italy*, the *Germans* seized on a great part of the *Gallican* and *Venetian Territories*; and *Sirmium* with the adjoining Countrey, was possessed by the *Gepidae*. All this Tract of ground, saith he, is utterly unpeopled, partly by War, partly by the Plague and other Disasters incident to Armies. *Illyricum*, all *Thrace*, together with *Greece*, the *Chersonesus* and all the Regions lying from the Bay of the *Ionian Sea*, as far as the Suburbs of *Constantinople*, after that *Justinian* came to the Government, were depopulated by the Incursions of *Hunnes*, *Slavens* and *Antæ*, so that I believe above two hundred thousand *Romans* either perished by those Irruptions, or were led away Captive, and the places appear like the Desarts of *Scythia*. Besides, all this while, the *Saracens* in the East harraied all from *Egypt*, as far as the borders of *Persia*, so that in this space of ground men are very thin, and the slain cannot possibly be numbred. Three times have *Chosroes* and the *Persians* invaded the Empire, and made the Provinces thereof Desolate, but in the time they entred *Colchos*, as well the *Lazians* as *Romans* and other Nations received much Damage, for neither did the *Persians*, nor *Saracens*, nor *Hunnes*, nor *Slavens*, nor other Barbarians, carry home their Armies again intire as they brought them. So that not onely *Romans* but Barbarians also, felt the effect of the bloody fury of this Emperour *Justinian*.

31. *Chofroes* indeed, as was said in a more proper place, was a man of a naughty Disposition; but *Julianus* perpetually gave the occasion and kindled the Wars. For in doing busines, he never had respect to time or place, but did all things unseasonably. In the time of Peace and Truce, he would give matter of Jealousie to his Neighbours; War being denounced, he would fall back again, and out of Covetousness make slow Preparations. Instead of those matters proper to his Sphere, he busied his head with things transcending his Capacity, too curiously searching and prying into the Nature of Almighty God. His Cruel and Tyrannical disposition full ingaged him in War, and his Covetousness in preparations hindered him from success. During his Reign therefore, the whole world as it were swam with the blood both of Barbarians and *Romans*. For not onely did the Wars procure the Destruction of Mankind, but those desperate Factions of the *Veneti* and *Præfins* which raged for two and thirty years, to the time that the Authour wrote this Treatise. Neither did the Empire shed less blood upon the account of the *Samaritans* and Hereticks, who were put to Death. Such were the mischiefes which happened to Mankind, this man or *Demon* being Emperour and Authour thereof. These Evils that follow, he effected by a certain secret power and Demoniacal Nature, some ascribing them to the mischievous *Genius* or *Dæmon* which accompanied him, though others to the Divine Power which was angry with the *Roman* Empire. The River *Scirus* running by the City of *Edessa*, overflowed and much indamaged the Inhabitants. The Nile also did such mischief to the *Egyptians*, as we have formerly related. The River *Cydus* rose to such an height, that the City *Tarsus* continued many days in water. *Antioch* the principal City of the East, *Seleucia* its Neighbour and famous *Amazarbus* in *Cilicia*, were overturned by Earthquakes, and the Ruine and miseries of the Citizens who is able to relate?

32. Besides, at this time *Ibera*, *Amassa* the cheif City of *Pontus*, *Polybotus* in *Phrygia*, *Philomida* in *Pisidia*, *Lychnidus* in *Epirus*, and *Corinth* all populous and flourishing Cities were destroyed together with almost all their Inhabitants. Then happened that dreadful Pestilence, which consumed well nigh half of those men that out lived the former Calamities. But to speak more concerning the exacti-
ons and oppressions of *Julianus*. His Uncle, when he came to the Government, found the Treasury very full. For, *Amasius* the most provident of all Emperours, fearing that his Successour might burthen the People, had by this supply as he thought prevented that Inconvenience. All this did *Julianus* presently consume, partly upon fortifications of Banks and Havens, partly in gaining the friendship and Alliance

Alliance

His lavishments.

• Alliance of the Barbarians. He wasted so much money, as it hardly could be imagined, that any the most dissolute Nephew of an Emperor could make an end of in an hundred years time. For, the Officers of the Revenue affirmed, that in the space of about twenty seven years, so long as *Anastafius* lived, were laid up in Bank, three hundred and twenty thousand pounds of Gold, of which he left not a farthing before his Uncle *Fulfin* Died. Now what horrid courses he took to supply the want and Debts he contracted is impossible to be related, the Wealth of his Subjects being all swallowed up by him, which he presently vomited forth upon Barbarians. Such as were Rich, he caused to be accused of feigned Crimes, as Paganism, Heresie, Sodomy, Inceff, Sedition, adhering to the Faction of the *Prajint*, or Treason, and seized on all they had.

His Courses to
get money.

33. There were other courses he took to get money. He invented a sort of Magistrate, which at certain Rates should give licence to sell fuch and such Wares. And there the People was compelled to buy, though three times dearer than formerly; neither was there any remedy to be had for any exactions, part of the profit coming to the Emperours's Coffers, and part to the purle of the Magistrate. He set up many Monopolies. And whereas the Prefect (a) of the City, had anciently sole authority to examine and Judge Malefactours, he made other two Officers, that he might have more Accufations, and consequently greater opportunity of seizing the Estates of innocent Persons. One of these he named *Prætor* (b) *Plebis*, who was to prevent and punish Robberies. The Romans called him *Præfectus vigillum*, and the Greeks *Nocturnæ* (c). And before the time of *Justinian*, this Office was performed by the *Picomagistri* and *Collegiari*, who had the care of the several Regions of the City, having received their Institution from *Augustus Cæsar*. The other he called *Quæstor* (not *Quæstor*, as some (c) eminent Lawyers have mistaken it;) to whom was committed the Cognizance of Sodomy, Whoredom, Heresie and Superstition. The *Prætor* daily brought stolen Goods to the Emperour, pretending there was none that owned them. The *Quæstor* proceeded without examination of the Cause be it what it would, and Condemned the Parties unheard, whose Estates and Fortunes were then presently confiscated to the use of *Cæsar*. Thus this wicked man committed to those two, and the Prefect of the City, all Causes without any Discrimination, commanding them to destroy as many men, and as soon as possible, and to strive who should doe most. Being asked whose Sentence should stand, in case the matter should come before all three, he answered His, who should give Judgement before his Fellows.

(c) *Antonius Augustinus ad Novel. 80. & Cujacius, sed ipse Justinianus remittit, Novel. 80. Vide Aleman. in Notis pag. 3. de his rebus, quas observat.*

His Questours.

34. The Queſtorſhip of which all good Emperours had ever a mighty care, to *Principis et*
place learned and honeſt men in this Office, which had fo great influence into the *deus ius Affe-*
State, he exceedingly abuſed. His firſt *Queſtor* was *Tribonatus*, of whom much *ſorum propoſi-*
has been already ſpoke. He being Dead (about the twenty firſt year of *Juſtinian*, and *ex legibus*
and part of his Eſtate confiscated, though he left a Son and many Grandchildren, *quod eſt Prin-*
Junius Apher ſucceeded him, a man to whom the Laws were not as much as known *cipem mores.*
by hearſay, that never was matriculated amongſt the Gown-men; and though he *Sum primus ſi-*
underſtood Latine, yet never learnt Greek, which he fo odly pronounced, as his *ſententiam ſe-*
Servants could not forbear laughing. So Gripping and Covetous, that he fet the *ditio, aut ſpau-*
Emperour's Letters publickly to Sale, and for a Golden Stater would doe any thing. *ſum in ſtatu-*
He dying after he had diſgraced his Employment ſeven years, *Conſtantinus* procu- *ſtationem ſe-*
red it, one not unſkillfull in the Laws, but very young, that had never practiſed at *ſum in ſtatu-*
the Bar, and the moſt thiervill and arrogant of all men. But to *Juſtinian* he was *ſententiam ſe-*
moſt dear, being the Prefect of his Rapines and his Judge, by which means he got a *ſum in ſtatu-*
bundance of money. The *Præfeſtus Prætorio* beſides the uſual Revenue paid into *Queſtor*, ſi-
the Treafury above three * thouſand pounds of Gold every year, without any Law *banalus di-*
or Cuſtome, but as if it came out of the Air, which made him call it *Aereum*, as *ſum in ſtatu-*
our Author believes, whereas he ought rather to have named it the work of his *ſententiam ſe-*
own Diſhoneſty. By this and other means, thoſe that in his time obtained this *ſum in ſtatu-*
Dignity, grew on a sudden to vaſt Wealth, which he permitted, till being ſwoll *ſum in ſtatu-*
fo much as they were ready to burſt, he could then give it a vent, and let it all run *ſum in ſtatu-*

lis Cappadocia, conciliū Isauria, Pratoris Pisidia, & aliorum in Novellis. Procopius ipse Belisarii fuit. Alem. * Forasse hoc est tributa
semus illud quod iam olim abstinere reuocavit deinde Michael Poblago Imperator, de quo videndus Cedrenus ut Alemanni innuit.

Sect. 3-

(a) Est in
Græco τὸν ἀπὸ
ἐκείνου ἀπὸ
Magistratus
bi prefatus. Quæ
vero in urbe
questionem
haberet iustitiam
non vocat in
Novel. 13. m.
apparet, eade
ratione alii non
cōvenit.
Fuffianus ibi
dicitur
mānos. Sic p
sim diffingunt
ab etræx n
pauca melior.
pissime per ex
lentiam a bon
Autoribus voc
tur etræx.
(b) De huius
Magistratus
Institutione vidi
Novel. 13.

O Principis mē-
 de sēp sive Aff-
 forem passim q-
 ch cat Procopius,
) quod ex legi-
 praescripto faci-
 n, dū esset Pro-
 vn cipem monere
 he Eum primus
 nis vocavit Const-
 ne tinus sēdes 2
 g. xim, apud Sp-
 u- tianum in Ho-
 at diano mentio
 as de quodam q-
 a quaturam ger-
 as orationem im-
 a ratoris in Sen-
 to aggressis, pre-
 w menciavit, ut
 Quæstor, sēp
 Βασίλειος d-
 hatur.

portasse hoc est tributa
nunc innuit.

Sect. 3.

into his own Cofters. † But out of this Number are to be excepted *Phocas*, and *Baffus* his Succellour, men of too good Conscience to keep their Office any considerable time.

gesta proponit tibi Alemannus, in Notis, p. 95. Illorum certa notitia multam ex huius hiftoria lucem affert Et Justiniani Constitutionibus, quæ nonnullarum eorum ejus tam Justiniani fuisse Inscriptiones observantur.

He sold Offices contrary to his own Law.

35. So dealt he with all the Magistrates of *Constantinople*. Throughout other Cities he sold Offices and Employments to the worst of men, and having received his money, delivered into their hands the Provinces to be handled at their pleasure. They stood in no fear of the Laws, but hoped to get greater Glory by the Immunity of their Slaughters and Rapines. He had made a Law, that Magistrates when they entered their Offices or Provinces, should take an Oath that they would not be Rapacious, nor give nor take any thing for, or by virtue of, their Places, who so did they used great Imprecations against them. But scarcely had one year passed from the making of this Law, but he forgetting, at least neglecting both his own Decree, the Imprecations and all Modesty, not obscurely, but openly in the *Forum*, and with the greatest Impudence imaginable, sold Dignities, to such as with greater licentiousness than ever offered money for them, not considering how they could dispence with the Oath. The Law here mentioned by this Writer is his eighth Novel, in publishing whereof he much applauds himself, ordering it to be expoted to view in the Feast of *Easter*, as a most grateful object of the People's Eyes, and to be cut in stone to remain in the Walks of the Churches, as a perpetual monument. The Copy of it he will have kept amongst the Vestments of Churches, and excites all People to give thanks for it to Almighty God, adding a Receipt of his Predecessours, for their solicitude about money in this Affair; whereas *Theodosius* made a Law concerning this very matter, and so did *Martianus* as some do testify, and *Anastasius* also practised the very same thing, conferring the Offices gratis which had been formerly wont to be expoted to Sale. But as for the Oath, the form of it is expressed in the said Novel concluding thus: *quod supra. Which if I do not observe, may I receive both here and hereafter, the terrible Judgment of the Great Lord God and our Saviour Jesus Christ, and let me have part with Judas, the Leprosie of Giezi and the trembling of Cain.*

Hires men to execute Offices.

36. Another thing *Justinian* devised, which is almost impossible to be believed. He grew weary of telling the chiefest Offices about *Constantinople* and other places, and hired certain Fellows to discharge them, who receiving certain wages, all the Profits should redound to the Emperor. This he held as his greatest Maxim, to confer Offices on as great Knaves as himself, and so it happened, that seldom or never came better, but those that succeeded were far worse than their Predecessours. It often happened, that the *Hunnes* invading the *Roman* Territories, instead of being beaten back as they easily might have been, were Courted and sent away with rich presents, and the Title of Allies, besides the Booty they had gotten; and such Countrymen as could not endure to fee their Goods taken away, and their Wives and Children led Captives, but pursued them, and seized upon their Carriage-Beasts, that they might have wherewith to redeem their own, were cruelly beaten and wounded, and constrained to make Reftitution to the Barbarians of what they had taken from them. After the fall of *John the Cappadocian*, *Justinian* and *Theodora* were at a loss to find a man fit enough for their purpose to succeed him, and in the mean time employed (a) *Theodotus* who was none of the best, but not so bad as fully to comply with their humour. At last, having in their thoughts observed all men, and searched all Corners, they met with one (b) *Peter* a Syrian by birth, surnamed *Barjames* the *Numularius*, who sitting at the Receipt of money, often by the lightness of his Fingers, cheated the Collectours at their Payments, and that with such Industry and Impudence, that he would ease them down, and outwear them when he was caught, and boldly ascribe it as an accident to a mistake, excusing the fault of his Fingers, by more than a slip of his Tongue. But the Ladder by which he ascended to this Dignity, was his egregious flattery of *Theodora*, and being her Instrument in the execution of her wicked Designs.

plurima Justiniani Rescripta habemus. His Praefectum Pratorio, his Comitem largitionum fuisse diversos Novellarum tituli demonstrant. Praefecturam de arri cum administrasse paulo post Procopius commemorat. Veterem Ecclesiam, sancti Petri edificavit ut ex quædam, C. P. dicit Alemannus. p. 92.

Peter a knavish Priest.

37. For a proof of his future department, he endeavoured to defraud the Souls of their Pay, and more shamefully than ever, expoted the places of Trust and Dignity to Sale, abating something in the price to those who would undertake any impious

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impious or unconscionable Employment. To the Lust of these Creatures he expoted the Lives and Fortunes of the Provincials, and the Bargain being once made, they were sent down under the Name of Collectours, to tear in pieces the Bowels of the poor People, and to rage with implacable cruelty against them, that they might have wherewithal first to reimburse themselves, and then to spend upon their Lufts, or heap up Treasure for the occasions of *Cæsar*, when he should be pleased to call. But, not only he, but the Prefects before him, and all other Officers under this Tyrant, employed under them the greatest Knaves they could procure. It hapned that the greatest part of the Corn that was brought to *Constantinople*, was putrified and naught; yet this did he compell the Cities of the *Eaft* to purchase at dearer rates than they were wont to buy that which was good, and the Citizens having it delivered, after the payment of their Money, caft it either into the Sea, or the Sinks and Channels. That which was good, and kept up in great quantities at *Constantinople*, he sold to such places as were in want, for double the Tribute which was imposed upon the Corn Countries. When a lesser Fleet than usual arrived, he caused Corn to be brought by the Husbandmen themselves out of *Bithynia*, *Phrygia* and *Thrace*, and constrained them to accept so mean and unconscionable prices, that they had better have given away the Corn, and paid double as much as it was worth to boot. This burthen was known by the Name of *Annona*. But so much Corn as this way was imported, not answering the Necessities of the City, great Complaints were made to the Emperor against *Peter*, and he purposed to deprive him of his Office, and more, understanding that he was grown very wealthy; till *Theodora*, his Wife, took him off, being exceedingly enamoured of *Peter* for his Charms and magical Tricks, whereby, as was reported, he wrought more upon *Justinian*, than by any other means. And he was very easie thus to be wrought upon, for Reasons formerly mentioned, which this Author here again repeats, to the trouble and distaste of his Reader, who cannot but be wearied with his endless Tautologies, and confused Allegations.

He is removed, and fit over the Treasury.

38. Yet did the Emperor at length, and with much difficulty, remove *Peter* from his Pretorian Prefectship; but then set him over the Treasury, through the importunity of *Theodora*, having put out of that Employment one *John*, a Man of great Integrity, whom the People much esteemed upon this account. *Peter* being placed in his new Power, caused as much mischief as ever, making away the Money which was assigned to many uses, so that those concerned in it were ready to starve, which, so long as the Prince had what belonged to him, and the Treasurer could but fill his own Cofters, was never regarded. The Coin also he caused to be made less than formerly. Farther, whereas it was a very ancient Customs for the Emperours to remit the small Remainers of publick Taxes, left such as were not able to pay, should be oppressed, and opportunity given to the Collectours to exact more than was due. *Justinian*, in the space of thirty two years, never vouchsafed his Subjects such a grace and favour, which, as it destroyed the poor, so such as were as yet able to pay, being never at rest, and not so much grieving to pay new Levies, as fearing to be unjustly persecuted for pretended Arrears of vast long continuance, chose rather to forsake their Grounds. Notwithstanding all the Havock that was made in a great part of *Asia*, by the *Perfians* and *Saracens*, and in *Europe*, by the Inrodes of the *Hunnes*, *Sclabeni*, and the *Gothick* War, the Inhabitants being reduced to the greatest extremity, yet would he remit nothing to them of the ancient Impositions, except to those that dwelt in Cities taken by the Enemy, and that but only for a year.

Justinian never remits Arrears.

39. And yet had he, as *Anastasius* formerly did (he means to the Citizens of *Amida*) remitted all publick payments for seven years, he had done little in respect of the great Calamities they underwent; for *Cabades* retired, leaving Houses, and Churches, and all standing and intire, whereas *Chosroes* wasted all before him with Fire and Sword. But the miserable People found *Justinian* worse than the Barbarians themselves; for no sooner was the Enemy gone, but he would come with his *Annona*, and his Decrees of Impositions and Taxes, after this manner. The Possellours of Lands were, according to their proportion, to find Provisions for the *Roman* Soldiers at a certain Rate, and such as had not of their own, both for Man and Horse, were forced to buy, and fetch out of other Countries, and satisfy the *Options*, (Officers of the Army so called) who often were very unreasonable in their exacti-
ons: This was the *Annona*. This Imposition was a sudden and unexpected Plague,

He imposed the Annona.

Ex ab Optionibus Domesticis quorum ex Procopio, lib. 1. Belli Vandal. antea mentionem fecimus. Optionibus qui Annonam militibus erogabant ut vixit de Argeio pulvis, quintam decimam partem custodivit Justinianus, ut est in Novella 130. Alem.

Seçt. 3. falling on the Possessors of Lands, whom it deprived utterly, as it were, of all hope of Life. For on the grounds whose Owners or Tillers were slain, or had fled their Country, and now were desolate, and over-grown with Weeds, *Justinian* was so mercifull as to lay it. The Descriptions or Taxes were laid allo upon the Countrey, for repairing those Cities that were spoiled or wasted by the accidents of War, the Causes and Events whereof, our Authour tells us, it would be infinite in this place to describe. But the mischief staid not here. For the Pestilence having consumed the Husbandmen, and Owners of the Lands which lay untilled and out of order, the Tax thereto belonging was exacted of the next Neighbour, who were also forced to lodge and entertain the Souldier in the best Rooms and Apartments they had, while they themselves must be content to thrust their Heads into any hole or corner.

He oppresses Souldiers by the *Confitures*.

40. But so far as mention is made of Houses and Lodgings, our Authour esteems it a thing not to be past by in silence, that sometimes no fewer than seventy Thousand Barbarians have been quartered at *Constantinople*, in receiving and lodging of whom the Citizens have been extraordinarily strained. Neither is to be past over what *Justinian* did against Souldiers. He set over them certain Officers, named *Confitures*, or, as in Greek they called them, *Logothetae*, who were empowered to fleece them of as much Money as possible, of which, for their pains, they were to have the twelfth part. And whereas by Custom, and the Laws of the Camp, all Souldiers had not equal pay, but those newly listed had less, those of a middle standing more, and the *Veterani*, or old Souldiers, greatest of all, that after their Mission they might have something to live on, and reap some fruit of all their labours, now it was so ordered, that when the *Emeriti* went out, others that were next them did not succeed, nor were admitted to their Privileges, as the manner had been; but the *Confitures* forbade the Names of such as were slain to be omitted in the Roll, or any new Rolls to be made. Hence it came to pass that the Armies were exceedingly lessened, and the Souldiers utterly discouraged, the Emperour treasuring up that Money, which they of course ought to have received as an augmentation of their Wages. Several other ways were the Military Men injured, and reduced to that meanness, that the Name of *Grecian* became dishonourable, as if *Greece* brought not forth any stout or valiant Man. Here by *Greeks* he seems to mean all that spoke that Language. And the Reader may take notice, that now in *Justinian's* time the *Roman* Empire began to be called the Empire of the *Greeks* by the *Romans* themselves; who stomached at, and disdained the Domination and Pride of that People.

41. Some Souldiers were cashiered, as being listed without any order from the Prince, the Commissions of others were said to be counterfeit, others were blamed for being from their colours, and certain Searchers were sent into all the Provinces, to see what Souldiers were unfit for War. Some Aged Men, who deserved good rewards for all their time and strength spent in service, were turned out, and forced to beg their Bread openly in the *Forum* of Religious Persons, affording a lamentable Spectacle to all that passed by. Others, to save themselves, were constrained to bribe the Searchers, and so was the Souldier weakened, and destitute of Necessaries, and so much aliened in his Mind from his Employment, that the *Roman* Affairs generally all over, but especially in *Italy*, were much indamaged. *Alexander*, whom we said formerly to have been nicknamed *Forficula*, being the great Instrument of this Oppression, laid many frivolous things to the charge of the Souldiers in *Italy*, and the Inhabitants themselves he fleeced of great store of Wealth, under pretence of revenging the Injuries offered by *Theodorich* and the *Goths*. In times past the Emperours were wont to place certain Bands and Companies of Souldiers upon the Frontiers and Limits, who were thence called *Limitanei*, especially in the Eastern parts, to prevent the Inroads of the *Persians* and *Saracens*. These *Justinian* presently so slighted, and neglected, that their four or five years pay was shuffled off by the Questors, and whereas during the Truce betwixt the *Romans* and *Persians*, they ought to have enjoyed the benefit of the Cessation, with their whole Wages, *Justinian* most injuriously disbanded them, by the same Fact exposing the Souldiers to penury and begging, and the Frontiers to the insolence of Invaders. The Emperour's Court in former times was wont to be guarded by Three thousand five hundred Men, whom they called *Scholarii*, who had more pay than other

He cheats the *Scholarii*.

Horum in Palatio uti munia diversa, ita et nomina. Alii stipendia merentur, alii Codicillares. Horum ordines modo appellatorum Officia, unde eorum Praefectus Magister Officiorum vocatur, et a Graeco, μαγιστρος, id est a magistro, nomen: modo Scholae, scholae, atque inde scholarii. Vide quae ex Agathia transscriptimus supra hujus Cap. Paragraph. 236.

*Appostolus hanc
vicem et spem
vultu nati
paulatim. Eum
qui publicorum
Rationum curam
gerit Legibatur
Graco vocabatur
Romani vocant.
Procop. l. 1. c. 13.
l. 3. Alex.*

Men, in duty, and were wont to be chosen out of the most ancient and stout Souldiers of the *Armenians*. But in the time of *Zeno*, any one was in a capacity to compass this Employment, even Scullions themselves, if they brought but money. When *Justin* was Emperour, *Justinian* his Nephew, for great summs of Money paid him, filled up the Rolls, and to the former number added almost Two thousand more, who were called *Supernumeraries*. These, as soon as he came to the Government, he disbanded, every one, and kept their Money to himself.

42. When there was an Expedition to be made into *Africk*, *Italy* or *Persia*, orders were given out to these Men, though utterly unfit, to march as well as to others. They then must buy off their Service, and be content to be fleeced by *Peter*, the *Magister Officiorum*, and the Murderer of *Amalasuntha*, a Man of a mild and calm temper, but to be reckoned with the inferior sort of covetous and rapacious Persons. In the Emperour's Court there were other Souldiers, as they were termed, of an higher Rank, who purchasing their places at a greater rate, had answerably greater Salaries allowed them. These they called *Protectours*, and *Domesticks*, having no skill in matters belonging to War, but serving to set out the grandeur of the Palace; some of them lay in *Constantinople*, and others quartered in *Galatia*, or other Provinces. By the same tricks *Justinian* frightened these men, and made them quit their pretensions to their stipends. There was an ancient and most certain Law and Custom, that every five Years the Emperours should give a Donative to the Souldiers, for which purpose every fifth Year the Questors were sent about, and paid to every Man five golden Staters. But after *Justinian* came to the Government, he quite abolished the Custom, inasmuch, that in the thirty second Year of his Reign, the time when *Procopius* is pretended to have written this Secret History, it was almost quite forgotten. Farther, whereas in all Employments, either under the Prince or Magistrates, Men arose by degrees, and succeeded each other, till those that formerly were of the lowest, at length arrived at the highest Rank, and such as were come to this pitch of Honour, had large allowance, as a reward of their former diligence, amounting to above Ten thousand pounds of Gold yearly; he took this allowance away, reducing them to want and misery, as he did all other mortals. So did this Tyrant vex and disquiet these sorts of Men. Now I come to shew, faith our Authour, what he did against Merchants, Mariners, Artificers, Men relating to the Law, and other sorts of People.

43. There are two Straits lying upon each shore of *Constantinople*, the one of the *Hellepont*, betwixt *Sessus* and *Abydus*, and the other at the mouth of the *Buxine* Sea, where there stood a Church, consecrated to the Mother of God. In the *Hellepont* the Emperours permitted no Publicans to receive Toll or Custom, but had their *Prætor* at *Abydus*, who watched all Merchandise carried into the Port of *Byzantium*, and such as set sail thence without licence of the Officer appointed to grant Pass-ports. This *Prætor* could not demand any thing of the Mariners. But *Justinian* placed Publicans upon both the Straits, and two hired Officers, who were commanded to have a strict Watch, and raise as much money as possibly they could by way of Custom. At the Haven of *Constantinople* he appointed a certain *Syrian*, called *Addens*, one of his Creatures, to raise as much as he could out of imported Wares, and he permitted not such as came in to return out of the Haven, but constrained the Mariners either to carry goods into *Italy* or *Africk*, or pay for the freights to others, that were hired, which burthen some, that they might shun, set fire to their Vessels, and went their ways. Merchants by this means were constrained to pay three times as much as usual for Transportation of their goods, and to make themselves favers, raised the prices of every Commodity, so that it became a publick grievance and a burthen to all the People.

44. Formerly the *Numularii*, or Money-Changeers, were wont for every Stater of Gold to give two hundred and ten *Oboli* or *Pholes*. But *Justinian* conceiving it would make for his profit, brought down the Exchange to an hundred and eighty, so that the subject lost the sixth part of the value of every golden Stater. Having laid a Monopoly upon every thing but wearing Apparel, at last he devised a way to reduce such as dealt therein to an equal condition with their fellows. In times past the Manufacture of Silks was confined to two Cities of *Phenicia*, *Berytus* and *Tyre*, whence they were transported all the World over. Now the Merchants at *Byzantium*, and other Cities, who traded in this Commodity, raised the price, pretending that they paid more than formerly had been usual in *Persia*, and were burthened with the tenth part in the *Roman* Territories. He therefore made a Law, that a pound of Silk should be sold for eight *Aurei*, under pain of Confiscation of Goods, to any one that should offend against it; which burthen the Merchants

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He distulm est ab omnibus pane Scipitarius Ecclesiasticis Templum in Blachernis, de quo nomine inter Græcos minime convenit. Vide Alemann. ad Procop. Arcan. Hist. l. 15.

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45. By this means multitudes were undone, and all the Artificers of *Tyre* and *Berytus*, who had lived upon this Manufacture, were either compelled to starve, or to beg their Bread; and some of them fled into *Persia*. Here it will not be amiss to add what *Alemannus* hinteth, that Silk had been much dearer in former times, than when it was thus sold by *Peter*. For, as *Vopiscus* writes in the Life of *Aurelianus*, Gold and Silk, in the days of that Emperour, were exchanged weight for weight, (as was once *Perina* Tobacco here for Silver) viz. a pound for a pound, as the *Rhodian* Law also witnesseth. Now if a pound of Silk was sold for a pound of Gold, a pound of Silk must have been worth an hundred *Aurei*, from which if you subtract eight and twenty, seventy two will remain, for which a pound was sold in those days of *Peter*; for so you must reckon, if with this Authour you set every ounce at six *Aurei*. But Silk was grown much cheaper in the days of *Justinian*, in whose time, as the Reader may remember, we formerly told him out of an Authentick Book of *Procopius*, that Silk-Worms were brought by certain Monks out of *India* to *Constantinople*, and other parts of the Empire. But to what an height is the Silk Manufacture now advanced, and what difference is there betwixt our days and the Reign of *Aurelianus*! Silk is now grown nigh as common as Wool, and become the cloathing of those in the Kitchen, as well as the Court; we wear it not only on our Backs, but of late years on our Legs and Feet, and tread on that which formerly was of the same value with Gold it self. Yet that magnificent and expensive Prince, *Henry* the Eighth, wore ordinarily Cloth-hose, except there came from *Spain*, by great chance, a pair of Silk Stockings. *K. Edward*, his Son, was presented with a pair of long Spanish Silk Stockings by *St. Thomas Gresham*, his Merchant, and the Present was taken much notice of. *Queen Elizabeth*, in the third Year of her Reign, was presented, by *Mrs. Montague*, her Silk-woman, with a pair of black knit Silk Stockings, and thenceforth she never wore Cloth any more. Nine and thirty years after was invented the weaving of Silk Stockings, Waistcoats, and divers other things, by Engines, or Steel Looms, by *William Lee*, Master of Arts of *St. John's* College in *Cambridge*, a Native of *Nottingham*, who taught the Art in *England* and *France*, as his Servants in *Spain*, *Venice* and *Ireland*, and his Device so well took, that now in *London* his Artificers are become a Company, having an Hall and a Master, like as other Societies. But this were an unpardonable Digression, were it our custome to make the like.

46. Next our Authour comes to shew how *Justinian* endeavoured the subversion of Advocates, Physicians, and others, professing the liberal Sciences; and for proof alledges what we have formerly said of this Subject. The publick Monies of any City or Town, which the Inhabitants, out of good Husbandry had laid up, either for publick payments, or their Recreations, he leared not to seize on, so that all stipends of Physicians and Schoolmasters ceased, no care was had of publick Buildings, no lights were set out in the Streets, and no Merriments, or innocent Divertilements, were now to be thought of; and as for Stage-plays, those of the *Circus*, and Hunttings, amongst which exercises *Theodora*, his Wife, had been born and bred, they were utterly laid aside. At *Constantinople* he would have all Spectacles to be left off, that he might spare Money, to the undoing of an infinite multitude that had their livelihood out of them. Therefore, faith he, all Men now are in sadness, no appearance of any mirth or cheerfulness, either publicly or privately; Neighbours and Friends, when they meet, relating onely their Miseries and Calamities, and some Disaster or other which has lately hapned. Every Year there were wont to be two Consuls created, one at *Rome*, the other at *Constantinople*, who were wont to spend each of them above two thousand Pounds of Gold, not of their own, but most bestowed on them by the Emperour. This was laid out upon Shews and poor People, but especially upon Stage-Players, and very much enriched the Cities; but since *Justinian* became Emperour, there is no time determined for these things,

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one keeps the Consulship a long time, and there is hardly any such thing to be seen as the *Comitia Consularia*. Now whereas this Authour saith, that every year two Consuls were created, this is to be understood ordinarily, and in course, for often, as we have before hinted, a Consul has been in the East, and in the West, without a Colleague. And this moreover is observable, that the Epistles of the Ancients, and other publick Monuments, are usually signed with the Name but of one Consul, in these years wherein two were created, as appears manifestly from the *Fastis*; the reason is this; because some considerable space was required to have their Names communicated through the Empire, and in the mean time the Provincials made use of his that first came to their knowledge, as they inhabited nearer to *Rome* or *Constantinople*. In the publick Tables mention was made of him whose Name they knew not, in this manner; *Marcianus*, and he that shall hereafter be declared, being Consuls.

47. Upon the very Bread which the poor People and Cripples were compelled to buy, *Justinian* laid such an Impost, to the value of three *Centenaries* of Gold, that the Sellers made it almost all of Chaff, or Bran at the best; to so great impiety and fardiness did his covetous Humour descend. The Officers herein employed got vast Wealth, and brought a kind of Famine upon the Poor; for it was not lawfull any otherwile to provide themselves, but all their Bread they must buy after this manner. The Watercourses were so broken, that the Inhabitants could not be supplied, and many were every day slain at the Fountains in a contention to get Water, yet was no care taken to repair the Pipes, and all for saving of Money. The Baths were also flopt up, and yet could the Emperour, in the suburbs, lay out a vast deal of Treasure on the Houses seated towards the Sea side, as if that Court were not good enough for him and his Wife, which had given so great contentment to the former Princes. But not only at *Constantinople* did he thus afflict the Poor, who ate nothing but Bread, and drank nothing but Water only. His cruelty reached those that lived in other Countries. *Theodoric* having conquered *Italy*, that some remains of an Empire might appear at *Rome*, maintained in pay the Pretorian Companies, which were very numerous, as those of the *Silentiarii*, *Domestici* and *Scholarii*, who, if they enjoyed nothing else, to be sure had the privilege of Souldiers, and the *Annona*, or Provisions, which he permitted to descend to their Children, and Children's Children. And to the Poor that lived near *St. Peter's* Church, he yearly gave out of the publick three thousand *Medimni* of Wheat; all which *Alexander Forficula* took away, and for that was much commended and esteemed by *Justinian*.

48. At *Thermopylae*, the Greeks that lived thereabout kept a constant Garrison, and for fear the Barbarians should make Inroads into *Peloponnesus*, kept watch by their turns, at the Wall built on the top of the Mountains. *Alexander*, as though he took especial care for the Affairs of the *Peloponnesians*, affirmed there was no trusting to the Fortresses maintained by Countreymen, and placed there two thousand Souldiers, to be maintained by the several Cities of *Hellas*; the publick Revenues of which, under pretence of maintaining Garrison-Souldiers, he brought into the Treasury; and by these means it came to pass that neither in *Hellas*, nor at *Athens*, were there any publick Buildings, or any publick conveniences of Corporations regarded; and so were matters ordered by *Alexander Forficula*, to the great contentment of *Justinian* and his Wife. Things went as ill with the Poor of *Alexandria*, amongst the Advocates of which was one *Hephæstus*, who, being promoted to the Government of the place, appeased indeed Tumults in the City, but being more savage and cruel than the seditious themselves in effect, brought the Citizens into all sorts of Calamities. For by a Monoply exercised by himself, he hindered all others from trading, and set what rates he pleased upon all Commodities, as he did upon all Corn transported from *Egypt*, having obtained the like privilege as to that Countrey. *Justinian* perceiving the Inhabitants took these oppressions with moderate Patience, resolved to lay on as much burthen as they would carry, and more highly esteemed his formerly beloved *Hephæstus*, who, to bind him more firmly to him, devised yet another way to gratifie his Humour. The Emperour *Diocletian* ordained, that a great quantity of Corn should be yearly given by the People of *Alexandria* to the Poor, which Custome had continued down unto this time. Of this Corn *Hephæstus* brought twenty hundred thousand *Medimni* into the publick Granaries, writing to the Emperour, that the *Alexandrians* managed the business neither according to Justice nor Discretion. *Justinian* readily confirmed what he had done, and was mightily pleased with a Minister so proper for his turn.

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Forasse intelligit de Adrianæ aqveductu, quem initio sui Imperii Justinianum re-
paraverat. Sic
quintatur Alem.

He lays an Im-
post upon Bread.

Ὁλομπερὶ ἑ-
μισία τῷ πρὸς τὴν

How others pro-
fessing Sciences.

He oppresseth
the Poor of A-
lexandria.

49. But so numerous were the wicked Actions of *Justinian*, that to recount them no time would be sufficient, but out of many I will gather a few Instances, faith our Author, from which it may evidently appear to Posterity, what an egregious Dilembler he was, how prone to despise Almighty God, the Priests, the Laws and the People, how Loyal lover, having neither respect to Modesty, to the good of the Commonwealth, nor at all regarding to colour his wickedness by any specious pretences, but only intent how to scrape up Money, and pillage the whole *Roman World*. The Reader is to know, that he made one *Paul* Bishop of *Alexandria*, one *Rhode*, a *Phenician*, being at that time Prefect of the City, to whom he wrote, that upon all occasions he should give assent to *Paul*, by whose means he hoped to bring the Primates of that Countrey to establish the *Chalcedonian Council*. There was a certain *Phenician*, *Arsenius* by name, of a most wicked disposition, but a great confidant of *Theodora*, the Empress, by whose countenance he rose to that Wealth and Authority, that he mounted at last into the Senate. By Religion he was a Samaritan, but he complied out of fear, as also did his Father and Brother, who yet making use of *Arsenius* his Interest did great mischief to the Christians of *Scythopolis*, who were exasperated to such a degree, that they put them to a cruel death, and thereupon much mischief arose to the Inhabitants of *Palestine*. *Arsenius* though he had been the occasion of all these misdeameours, was no otherwise punished than by a single banishment from the Court, and that because of the importunity of Christians. But as intending to do the Emperor special Service he went down, not long after, with *Paul* to *Alexandria*, the Inhabitants whereof he hoped to draw to his purpose, and during his absence from Court, he busied himself in Christian Controversies; and thereby offended *Theodora*, who drove on a Design that seemed to be contrary to that of her Husband. For Explication of this we shall only hint to the Reader, an Opinion which in it's proper place may be more largely discussed, that as *Justinian* stood stilly for the Council of *Chalcedon*; so *Theodora* seemed to reject it, embracing with great kindness the *Acephali*, *Monophysites*, *Theopaschites*, and other Heretics of that time.

50. But *Paul* coming to *Alexandria*, procured *Rhodo* the Prefect to kill *Pjoes* a Deacon, alleging that he was the only man, that hindered him in the Execution of the Emperour's commands; and by frequent Letters indeed *Justinian* commanded him to be beaten, the Torments of which Nature not able to bear he dyed under the Lash. Yet when the thing was noised abroad, *Justinian* being earnestly moved so to doe by his Wife, laid all the Load upon *Paul*, *Rhodo*, and *Arsenius*, and constituting *Liberius* a Patrician of *Rome*, his *Præfectus Augustalis* sent several Prelates down to *Alexandria* to inquire into the Fact, amongst whom went *Pelagius* Archdeacon of the *Roman* Church, who represented the Bishop. *Paul* being convicted of Murder was deprived. *Rhodo* flying to *Constantinople* was there by the Emperour's Command put to Death, and his Goods were sold, notwithstanding he produced no fewer than thirteen of *Justinian's* Letters, wherein he was again and again with all possible importunity, urged to follow and fully obey the Orders of *Paul*, without the least Contradiction, as one who had certain Precepts to pursue in point of Religion. *Arsenius* at the command of *Theodora*, was by *Liberius* his Order nailed to a Crofs, and her Husband seized on his Estate, pretending no other reason than that he had been intimately acquainted with him. But here was the jeft: It was not long e'er *Paul* came to *Constantinople* to Petition the Emperour, and offered seven hundred pounds of Gold to be restored to his Office, of which as he said, he had been unjustly deprived. *Justinian* took his Money, entertained him with great Respect, and promised to restore him to his See, though it was already full; and he had lately so severely punished his Complices and Associates in the Murder. He busied his Head so much about it, that every one expected when it would be done; but *Vigilius* Bishop of *Rome*, hapning at this time to be at *Constantinople*, flatly refused herein to comply with him, or to reverse that Sentence which he had given by *Pelagius*. But thus was *Justinian* intent upon his Grand design, of scraping up Money.

Another thing gave as ample Demonstration, which he Praised toward our *Faustinus*, who though a *Samaritan* dissembled his Religion, and accommodated himself to that of the times. Being chosen into the Senate, he also obtained the Honour and Employment of *Preconsul*, which once past, he was accused at *Constantinople* by certain Clergy-men, of being secretly a *Samaritan*, and of Cruelty and Impiety exercised against the *Christians*, that had been subject to his Jurisdiction. The Emperor was wonderfully concerned, that the Cause of Christianity should suffer during his Government, and the matter was brought before the Senate, where

Scythopolis à
Christianis In-
cendio interie-
runt uñ Histori-
am narrat Cyril-
lus Scythopolita-
nus, ex quo ap-
paret Arsenii pa-
trem fuisse quen-
dam Sylvanum.
Alem.

*Vide hac de re Liberatum in Bre-
viario, ubi rem
alius petit ut in-
nuat Alem.*

whereat the instance of *Cæsar* he was banished. But see the Ingenuity, and Piety of the Prince. *Justinian* corrupted with a great sum of Money (as much as he would ask) rescinds the Judgment given in Senate, and *Favstina* maintains himself in his accuſtomed Port, frequents the Court, manages the Affairs of the Emperour in *Paleſtine* and *Phœnicia* without Controll, and according to his own Luſt and Pleaſure. Thus much in ſhort ſaith our Authour, to give the Reader to underſtand how *Justinian* at his Pleaſure broke the Sanctions or Canons of Chriſtians: As for his reſcinding of Laws, out of no other Conſideration than for filthy lucre; I come now to declare it, in a few words. There was one *Prifcus* amongſt the *Emſeni*, exceedingly dextrous in Counterfeiting another Man's hand. And this muſt alſo be remembered, that many years before one *Mammianus* a man of Patriotic Dignity, of great Nobility, and as great Riches, had made the Church of the ſaid *Emſeni* his Heir.

52. Afterward when *Julianus* came to the Empire, it hapned that this *Prifcus* being to take a Roll of all the Families in that City, observed well such as were Wealthy amongst them, and in those noting their Ancestours, he counterfeited many Bills, as written with their own Hands, whereby they acknowledged that *Mammianus* had deposited very much Money with them. By this means he scraped together no less than an hundred Centenaries, or ten thousand pounds of Gold; but here was not all. He so counterfeited the Hand of a certain publick Notary of great Repute, and as great desert, who had been wont in the days of *Mammianus* to draw Instrumts for the Citizens, that he delivered those pretended Bonds, into the hands of the Solicitours of the Church, who had bargained with him for part of the Money to be received. But the thing could not take by reason of that Law, which confined all Actions within the Prescription of thirty Years; and as for the *Hypothecaris* and certain others, it barred them by an Exception which pleaded above forty Years continuance. Pressed with this Insuperable difficulty, they go to *Constantinople*; they get Admission to the Emperour, whose Authority alone could surmount it, and Presenting him with a great fum of Gold, beg he would be their Friend, and stand by them in their busines. He takes the Money, and presently makes a new Law, whereby he enlarges the time of prosecuting Actions in Church matters, to the term of one hundred Years; not only at *Emesa*, but throughout the whole Empire. This being as the Authour relates it, we see the occasion of the Centenary Prescription granted by him to Churches; and hence it appears, that it was not only granted to the Church of *Rome*, as some would gather from his ninth Novel, but to all others dispersed through the *Roman* State.

53. According to the Tenour of the new Law, he sends one *Longinus* an Industrious man, and one of a strong Constitution to act at *Emefa*, before whom the Procurators accuse the *Emefeniens*, by the feigned Bonds of owing no less than two hundred pounds of Gold; and being not able to trace the Truth in so large and dark a space of time, they were presently Condemned. Most of the Citizens were like to be utterly undone by this Course of proceeding, when it pleased Almighty God by his Providence to moderate it. *Longinus* commands *Priscus* the Inventour of this Mischief to bring all his Papers to him, which when he refused to doe, he gave him to found a blow on the Ear; that the man fell down, and in great Fear and Astonishment, thinking that *Longinus* had smelt out his Villany, confessed the whole Cheat, and so a stop was put to their Proceedings. But this we must add to this Relation; that *Justinius* ashamed it seems of his Centenary Prescription, and having it beaten often into his Ears, that the great distance of time exceeding the Age of man rendred it impossible, again revoked it; of which it's a wonder our Author should take no notice. But possibly the Emperour might retract his former Edit, after the two and thirtieth year of his Reign, beyond which the secret History doth not extend.

54. Not onely did *Julianian* handle, almoſt every day, the *Roman Laws* in this manner; but indeavoured alſo to deſtroy thoſe which the Hebrews imbrace and Reverence. For in Cafe their Paſſover happened before the *Chriſtian-Eaſter*, they were not ſuffered to perform the Ceremonies at their due and uſual time. And moſt of them were grievouſly fined for eating Lambs fleſh at that time, contrary to the uſual Practice, and the Chriſtian Canons. From theſe Inſtances, our Hiſtorian conceives he hath ſufficiently proved the Emperour's naughty diſpoſition; and having now almoſt tired himſelf, he talks of making an end, after he ſhall have but a little ſhewn his Craft and Diſimulation. But here before we go any farther, we ſhall add what *Alemannus* hints to us, out of *Theophanes* touching this matter of Changing days, that not onely did *Julianian* deal thus with the Jews.

He rescinds Ecclesiastical Sanctions and Canons at Pleasure.

**The Prescrip-
tion of an hun-
dred years for
Churches.**

But he revoked it.

[illegible]

σοι τοῖς μάρτυσι

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His Diffimulation.

but with Christians also in the Celebration of *Easter*. For in the nineteenth year of his Reight, the People began to abstain from Fleth on the fourth day of *February*. But the Emperour commanded that Fleth should be eaten another Week, and accordingly the Butchers killed and expofed it to fale, but no Body either bought or tafed it. Yet *Easter* was begun as the Emperour commanded, and the People fatisfied one Week fuperfluoufly. Now for Persecution of the Argument of Diffimulation, we are to know, that *Justinian* put *Liberius* the Patritian lately mentioned out of his Government, which he beftowed upon *John* an *Egyptian*, Sirnamed *Laxarion*. This being known by *Pelagius*, who was a great Friend of *Liberius*, he defires to be fatisfied of the Emperour, if the Report concerning *Laxarion* were true? He utterly denies it, and gives his Letters into the Hands of *Pelagius*, whereby was confirmed to *Liberius* his former Charge, and affirms he had no Intention at prefent to difplace him.

55. But at this time refided at *Constantinople*, one *Eudemon* the Uncle of *John*, a man of Confular Dignity, very Wealthy and *Cæfar's* Steward, who hearing what had lately paffed betwixt the Emperour and *Pelagius*, demanded of him whether he continued firm in his Refolution as to his Nephew's preferment. *Justinian* diffembled what he had written to *Liberius*, fends alfo his Letters to *John*, bidding him to look to his Charge and mind his bufinefs, for he had nothing otherwife determined concerning him. Hereupon *John* commands *Liberius* as a man out of Office, to remove himfelf out of the Palace, which he denied, fhewing alfo his Commiffion from *Cæfar*. They both arm and fight: Many are flain on both fides, and *John* falls amongft the reft. Then doth *Eudemon* importune the Emperour that *Liberius* may be fummoned to give Account of his Nephew's death, which is accordingly done, and the matter being brought before the Senate, he is abfolved, as having done what neceffity conftained, and in his own defence; but the Emperour would not acquit him, till he had fleeced him of a round fum of Money, fo great a Patron was he of Truth and Friendfhip. But it happened that not long after, *Eudemon* dies Inteflate, leaving a numerous kindred behind him, and much about the fame time, *Euphrata's* chief of the *Palatine* Eunuchs, leaving alfo a great Estate, and a Nephew by his Sifter; but no Teftament. Of both thefe *Justinian* makes himfelf Heir, not beftowing one Farthing on thofe, whom the Laws called to the Succeffion. In like manner did he deal with the Relations of *Irenæus*, who was dead long before.

56. About the fame time, *Anatolius* chief of the Senatours of *Ascalon* married his Daughter to *Mammilianus* the moft Noble of all the *Cæfareans*. There was an Ancient Law, that when the Senatours of any City died without Ifue-male, the fourth part of their Estate fhould come to the Senate, and the reft be enjoyed by their Heirs: Now *Justinian* makes a Law quite contrary, that in fuch a Cafe their Heirs fhould have but a fourth part, and all the reft fhould remain to the Senate and publick Treafury, although it never had been formerly known, that any Goods of the Senatours came either into the publick Treafury, or that of *Cæfar*. But fuch being now the Law, *Anatolius* dies and his Daughter pays what was due by the late Law to the Treafury and the Senate, receiving Difcharges both from the Emperour and the Senate of *Ascalon*. At length *Mammilianus* dies too and leaves a Daughter, which being married to a Noble-man, dies alfo at length without Ifue, leaving her Mother alive. *Justinian* prefently feizeth on all they left, openly faying, that by no means the Daughter of *Anatolius* being now grown old, ought to enjoy the Fortunes of her Father and Husband: Onely to keep her from begging or ftarving, he allowed her for her Life a Golden ftater a day, adding this in the Inftrument of this Rapine; We beftowed on her this Stater, out of our innate Piety and Clemency, for by our Actions it is our Cuftome, to exprefs the Holy and Pious difpofition of our mind. This is enough, faith our Authour, more would be Irkfome; but I believe it impoffible for any man to remember all.

57. Yet he cannot make an end, but conceives it material to add that in Refpect to his Covetoufnefs, the very Faction of the *Venetis*, however addicted to him, were very little regarded. *Malthanes* a *Cilician*, Son-in-Law to *Leo*, a Referendary formerly mentioned, was fent into *Cilicia*, to Compofe all Seditious arifing in that Country. Taking advantage of the time, he handles unmercifully very many *Cilicians*, and fome of the Money he Charges upon the Tyrant; another part he himfelf doth own. All others bore the milchief as Perfons conftained fo to doe: Onely fuch as were of the Faction, of the *Venetis* at *Tarfus*, hoping well from the Affiftence of the Emperour, openly reviled *Malthanes* in the Forum. He having notice of it, gathers together a band of Men, and coming to

Tarfus

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Tarfus by Night, fends his Souldiers by break of day to plunder the Town. The *Venetis* looking upon it no otherwife than as the Invaſion of an Enemy, every one ſtood upon his Guard, and in the dark many being killed, amongst the reft fell *Damianus* a Senatour, and chief of the Faction of the *Venetis* at *Tarfus*. The News of his Death no ſooner came to *Constantinople*, but the *Venetis* began to make difturbance throughout the City, and heavily to Rail at *Leo* and *Malthanes*, whom they loaded with all Indignities and Threats, which Words could not but offend the Emperour; pretending to be very much difpleafed, with what was laid to the Charge of *Malthanes*, by an Edict commanded Inquiſition to be made. But *Leo* by a vaſt fum of Money extinguished both the violence of the Edict, and the Emperour's Good Will toward the *Venetis*; who having given Order, that the Proceſs ſhould fall, received *Malthanes* at his coming to Court, with all poſſible kindneſs. Yet the *Venetis* ſet upon him, and wounded him as he came out of the Palace: And had certainly flain him, but that *Leo* hired ſome of the Company to ſtop the proceedings of their Fellows.

58. A Noble piece of Juſtice! To ſuffer ſuch violence to be committed in his own Court under his Noſe, and Sacrifice all things, how pretious ſoever, to his covetous and fordid Humour. But behold yet farther, what affection he bore, like a true Father of his Country, to the publick Good. The former Princes, that they might have a ſpeedy Account, what was done or Practiſed in each Province, either by their Enemies, or their Turbulent and ſeditious Subjects; how their Officers behaved themſelves; that they might be advertiſed of any Accident or memorable Occurrence, as alfo, to convey up quickly and ſafely the Annual Tributes and Impoſitions, ordained certain Poſts or Carriers after this manner. Betwixt every ſtage, or in an whole days Travelling, they cauſed to be made eight Inns or places of Refreſhment; ſometimes fewer, but never under five. In each Inn were kept nigh forty Horſes fit for Service, and as many Men to manage them, who ſucceeding to one another, and ſtill taking freſh Horſes; ſometimes would Letters or any other things be conveyed in one day, as far as ordinarily they could paſs in ten. This beſides the Convenience of paſſage, tended much to the Inrichment of the Inland Countries, the Inhabitants whereof put off their Proviſions, both for Man and Horſe at very good Rates to the *Quæſtors*. Such as ſerved the publick in this Employment, brought the Money they received to the Treafury, thence received their Wages, and ſo the whole buſineſs was managed to the great Convenience and advantage of the State. But *Justinian* took away the Poſt, that lay between *Chalcedon* and *Dacibiza*, and compelled all Paſſengers in little Boats, to go from *Constantinople* as far as *Helopolis*, though in paſſing the *Straits* they were in great Danger to be caſt away. The Poſt lying toward *Perſia* he left as he found, but throughout the other parts of the Eaſt, as far as to the Borders of *Egypt*, he left not ſo much as one ſingle Inn, or Stable of Horſes in a whole days Journey, but ſome of Aſſes. Whereupon the deſign of Intelligence was almoſt quite daſhed, and Proviſions lay upon the Hands of the Countrymen; who as we ſaid, were formerly wont to put them off at very good Rates.

59. He dealt in the ſame manner with the Intelligencers or Spies, who had been wont to be employed, at the publick Charge, under pretence of Merchandizing to paſs into the Enemies Country, and even into the Court of *Perſia*, where having covered their Intentions, they returned with all Convenient ſpeed, and made Report to the Prince; who by this means was ſecured from a ſurprize on all occaſions. But he ſuffered *Chofroes* the *Perſian* King, to outdoe him in this point, who giving better Penſions, had ever his Spies reſident at *Constantinople*, and carried it ſo cunningly, that though they ſtill diſcovered all to the *Perſians*; yet were the *Romans* quite in the dark, as to the matter of *Lazica*, and which way *Chofroes* would take his Courſe. A great number of Camels alſo were wont to be maintained at the publick Charge to follow Armies, and convey the Baggage, that the Souldiers might have all Neceſſaries, and the Country might not be burthened by preſſing of Carriages. But *Justinian* took them all away to the great hindrance of his Expeditions. Now the Authour ſays, he will tell you ſomething of his Ridiculous Tricks. There was one *Evangelus* an Advocate of *Cæſarea*, a man of good Repute, who grew very rich both in Land and Monies, and at laſt bought *Phryia* a Maritime Village for three Centenaries, or three hundred pounds of Gold

He takes away Poſts.

Discourages Spies.

And Camels.

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great wickedness he added this Crime also, that he endeavoured to confirm and establish by his Sanction, the Canons of the Constantinopolitan and Chalcedonian Councils, whereby prerogative was given to the Bishops of that City. As for Theodora his Wife, her wicked practices both against God and Man were so notorious, that *Alemannus* thinks he needs not cite any Authours for Confirmation of his Assertion, onely brings the Irrefragable Testimony, and Infallible Judgment and Sentence of Cardinal *Baronius* founded upon the Reports of ancient Historians, though he never law as he confesseth the *Anecdota* of *Procopius*. By this Book he affirmeth that the writings of the later Historians are to be corrected. Yet where they speak against *Justinian*, their Testimonies by all means are to be embraced. For many though they saw not this Book, yet recite and confirm the report of his wicked Life. *Theophanes* tells something, and so do *Isauros* an Holy man, the Authour of the *Alexandrian Chronicle*, *Johannes Antiochenus* and *Suidas*: Something also *Anastasis* the Vatican Library-keeper, *Paulus Diaconus* and *Aimoinus*: but *Zonaras*, *Cedrenus*, *Nicephorus*, *Euphrasius* and other Chroniclers give us them by bundles. All these had their materials from those Writers that were the Contemporaries of *Procopius*, and wrote the same things of *Justinian* as he did. These were *Hefychius*, *Agathias*, *Menander Protector*, *Euagrius*, *Johannes Epiphaniensis*, *Cyriillus Scythopolitanus*, *Theophilus* the School-Master of *Justinian*, *Innocentius Maronians*, *Eustathius Byzantius*; and of the Latin Authours, *Vitor Turrensis*, *Flavius Crescensius*, *Corippus*, *Gregorius Turonensis*, *Liberatus Afer*, *Facundus Heremianensis* and many others.

65. But there's no need, saith he, of urging their Testimony in this matter, there being Domestick witnesses enough to convince the world, that *Procopius* was no Lier. These are *Justinian* himself, *Justin* his Uncle, and *Justin* the younger his Sisters Son, who being ready to be destroyed by the Seditious *Venetis* and *Prasini*, restrained their Rage by words, which shewed *Justinian* to have been Authour of all these mischiefs. Behold Citizens, saith he, let an end be put at last to these publick Calamities. Know ye *Venetis*, that *Justinian* is Dead as to you; and ye *Prasini*, that as to you he still liveth. As for the Infamous Courtes of *Theodora*, her Life and Education, there is yet extant a Constitution of *Justin* the Elder, whereby it is made lawfull for Senatours to marry Women of base Condition. And for the third part of the History concerning *Justinian's* Crimes, though he himself confesses them not, yet he openly acknowledgeth, and seriously declares the source of all these mischiefs, owning that he had taken her to be a Partner of his Councils, who was given him by God, his most pious Wife. All Writers plainly affirm, that his Reign had been fortunate, if he had not been Counsell'd and Govern'd by her in the management of his Business. But *Alemannus* farther urgeth, *Procopius* by his other Books, sufficiently establisheth the truth of his Secret History; for therein he jejunely commends *Justinian*, but lays large Foundations of censure and reproach, mentioning more and greater Crimes than he lays to his charge in this Treatise, and sufficiently discovering his Cruelty, Avarice, unfaithfulness to his Friends, breach of Faith toward his Enemies; his hatred of good men, his love of wicked men, his violating of all Law, Divine and Humane, and subjecting all things to the Imperious Humour and Lust of *Theodora*.

66. For instance, he durst not take *John* the Cappadocian out of her Hands, nor prevent the effects of her Implacable Malice, but though most dear to him, was forced to banish him, and could not restore him till after her Death. Though he had concluded Peace with *Chosroes*, he hired *Alamundarus* and the *Hunnes* to make War upon him, to the great detriment of the Empire. The Garrison Soldiers for want of Pay he caus'd to Revolt. Besides those at home with him, in the Camp he had two eminent Instruments of his covetous Practices, viz. *John* the Quartermaster of his Army, who, to spare the Emperours money, with naughty Bread destroyed a great multitude of Souldiers; and *Alexander Forficula*, out of hatred to whom, they industriously suffered themselves to be worsted in Italy. Out of Covetousness he instituted his *Logothetae*, and abolished all Degrees of Honours at Rome. He preferred the most wicked of men to places of Trust and Dignity, as *Acacius* and *John Zibus*. These things and many others he published in those Volumes, which he gave *Justinian* himself to read, who was not offended with them; and afterward he published an eighth Book, in which he no more spared him, than he had done in his former. For he again insists upon the Souldiers want of Pay, complains that due preparations for War were neglected; again Condemns *Justinian's* prodigality in the entertainment of *Isidorus*, the insolent Persian Ambassadour. Declares that the affairs of the Empire were come to that pass, that a yearly Tribute

Hec omnia quod
nos Cogitantes
his quos, peris-
tem concili
summus cam,
que a Deo data
est nobis, possi-
mam conjugem.

Sect. 3.

bute was paid to the *Perfians*, and great gifts were given to the *Hunnes*, who made perpetual excursions into the *Roman Territories*. And he reprehends *Justinian's* unfeasonable Levity and Indulgence to his Officers, especially to his Commanders, which brought very much prejudice to the Commonwealth. To conclude this point, saith our Publisher, left we be tedious; *Procopius* seems so to have composed his *Anecdota* and his other Books which he presented to *Justinian*, that scarcely is there any thing in his secret History, which by his own confession you may not prove out of his former works.

His Arguments
examined.

67. These are the Arguments by which *Alemannus* will move us not to question the Authority of this Book. But first it's no small wonder that it should lie concealed so long, and never appear till almost the other day. That others of the Ancients should not have as good opportunity to see it as *Suidas*, and that so many that have ransackt the Vatican Library, should never light of it in any Age; for although *Baronius* was not able to know it, though it lay before his Eyes, he was so ignorant of the Greek Language, yet it's a matter nigh to a Miracle, that his Holiness should neither have a Library Keeper, nor any other Learned Attendant nor Student, who could understand that Tongue till *Alemannus* chanced to stumble upon it. Certainly the fortune of the other two Copies was almost Prodigious, that the one should be drown'd, and the other lost and never to be found; that *France* should be so barren of Learned men in the time of *Catharine de Medicis*, that none should be sensible of the worth of such a Jewel, but suffer it utterly to perish. Is there not a shrewd suspicion that *Cujacius* or some other Learned Lawyer met with it, and burnt it as a scandalous Libel against *Justinian*? But in truth, whoever wrote it, it may be termed a scandalous Libel against *Procopius*, doing almost as much prejudice to his Reputation, as it hurts the memory of the Emperour; So pitifull a piece of stuff it is, that the Writer must either have been very weak in his Intellectuals, or not himself when he wrote it. And can *Alemannus* excuse the matter by the Authour's fear and apprehension of Danger? Could his *Procopius*, a man of such freedom and boldness, who durst present to *Justinian* himself, Books wherein so severe censures of his Actions were contained, be guilty of so great pusillanimity? Could he who durst look a Tyrant (as this Treatise makes him) in the face, and tell him his faults to his teeth, degenerate into so much Cowardice, as neither to trust to the Justice of his Cause, the goodness of the Fact, nor privacy of his own Cabinet? but as he stories it of *Belisarius*, at every word to peep and look if any body saw him, and to be seized with such perturbation of mind, as not to be Master of his own thoughts, nor to write a Discourse with any tolerable method, or other qualifications except that of bitterness?

What Credit is
to be given to
the Book of
Suidas.

68. That which carries most strength with it is, that *Suidas* mentions a Book written by him under such a name, and that as well he as *Euagrius* say the same things, as the Authour of this private History doth concerning *Justinian*. This indeed makes it somewhat probable, that *Procopius* wrote such a Book, and that if we consider what manner of Book that of *Suidas* is, its Testimony again will be very much weakened. For first, some Copies of it tell us, that *Justinian* was *Avad-ol-Ezzar*, or void of all Learning, which is most false, as we shall see hereafter, even by the Confession of *Alemannus*. Then if we may credit *Possennine* the Jesuite, very many things are falsely inserted into *Suidas*, as a *Scolius* & *Schismaticus*, by Smarterers and Schismaticks, and those things are repugnant to Evangelical truth and Historical sincerity. But admit *Suidas* for the Authour of such Stories, as there we find concerning *Justinian*, he is in no case of equal Authority and Credit to those Authours, which make contrary Relations to those of his. He was an earnest defender of very gross Errors, and sided with such as were given to Lies and Fables. But rather to give you the Jesuite's Judgment of him, he tells you he was heretical, and that the Book going under his Name is full of Errors, Fables and Lies; as for instance those amongst many others; That the World was made of the Poetical Chaos; that it shall continue twelve hundred thousand years; that the Sun and Stars are fiery Substances, fed and perpetuated by terrestrial humours; that Paradise is *Horius Penflia*, or a Garden hanging in the Air far above the Earth; that *Cain* was begotten of the Devil; that the Jews worshipped the Head of an Asse, and every seventh year Sacrificed a Stranger: In his Narration in the word *Nero*, touching *Annas* and *Cajaphas*, *Peter*, *Pilate* and *Simon Magus*, he forgeth many things: His story in the word *Julianus*, he calleth mendacious flagitiousness, or a most lewd Lie. As also his slandering *Constantine* the Great as base born, and his Son *Crispus* as incestuous: His commending of *Acacius* and *Acepius* two Hereticks, to which he adds, that he writes many things against the truth of History.

In opp. verb.
Suidas.

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69. In his Relation in the word *Apollonius*, he praifeth many things which are monstrous and utterly to be exploded, and seemeth to allow the impious art of Magic and of Divinations. He approves of *Apollonius* and *Damis* two wicked Magicians, who are both Condemned to Hell. And to omit very many of this kind of Impieties and Fables which abound in *Suidas*, his Narration (*in verbo Jesus*), *Baronius* not only rejecteth, but Pope *Paul* the fourth for that cause besides some others, exploded the Book of *Suidas*, and placed it in the Rank and Number of prohibited Books. Such a worthy Witness is *Suidas*, concerning whose reviling *Justinian*, *Gothofrid* makes little account, esteeming his words no slander, and embracing the quite contrary Opinion. As for *Euagrius*, where he follows Authours of better Note, he is not to be Contemned; but in very many things he is too credulous, fabulous and utterly to be rejected. As what Credit can be given to his story of the Monk *Barsanuphius*, whom he reports to have lived in his Cell, wherein he had mewed himself up for the space of above fifty years, and neither to have been seen by any, nor to have received any Nourishment? What a worthy Saint doth he describe *Simeon Moros*, or *Saint Paul* to have been? How doth he commend *Symeon* who as was formerly shewed, though he was perfwaded to be baptized and enter into Orders, yet would not believe the Resurrection was possible. We might farther influence in the blood of *Euphemia*, and several other idle stories; but two there are especially which demonstrate him, either to have been extremely negligent in the search of truth, or very malicious in perverting it. One is that, *Maximianus* succeeded in the Bishoprick after the Death of *Nestorius*; an untruth so palpable, that none can think *Euagrius* to have been ignorant of these manifold and undoubted Records which testify the contrary. The other concerns the Fable touching the Epistle and Image of Christ, sent to *Agarbus*, which *Euagrius* points out at large, and commends the Epistle as a true writing of Christ, and celebrated by the Ancients, of these two passages in their proper places. Here it sufficeth to say that Pope *Gelasius*, and with him the whole Roman Council, having made a long Catalogue of fabulous Writings, and particularly this Epistle of Christ to *Agarbus*, passeth this censure on them all: These and all like unto them, we confess to have been not onely refused, but cast out of the Church, by the whole Roman Catholick and Apostolick Church, and we confess as well these Writings, as the Authours and the followers also of them, to be Eternally condemned under the Indissoluble bond of an *Anathema*. Such an untrue and fabulous, yea, according to his own Principles, miserable and accursed witness hath *Alemannus* chosen, to confirm the Authority of his secret History in conjunction with *Suidas*.

70. But besides the invalidating the Testimony of these Witnesses, by making them appear infamous upon Record in his own Court, it's easie to bring others in behalf of *Justinian*, who in point of fame and estimation even with *Alemannus* are without exception, and do with a loud and consenting Voice proclaim that Faith, Piety, Prudence, Justice, Clemency, Bounty, and all other Heroical and Princely Virtues were resplendent in him: Many of these being Ecclesiastical, we may produce them in a more proper place, where are to be considered the Calumnies of *Baronius* against this Emperor; for upon several accounts there to be mentioned, those of that party labour with all their strength to blast his memory, and make him appear odious to Posterity. Yet their Pope *Gregory* and others, in whose days the same Interest and Reasons which now prevail were unknown, give him vast Commendations. *Gregory* often calls him a man of Pious memory, and the Legates of *Orto* of Divine memory: so doth *Constantine* the Emperor, and the whole sixth General Council, which a dozen times or more calls him a person of pious or Divine memory, and most Holy *Justinian*. But here *Alemannus* excepts, and tells you in his Notes, how in that respectfull manner of speech all Writers are wont to mention the Christian Emperours. They speak in the same terms of *Anastasi*, who was a notorious Heretick. The Fathers of the sixth Council give the same respect to *Theodora*. *Andrew* the Bishop of *Ephesus* in the tenth Act of the *Chalcedonian* Council, adds to the name of *Theodosius Junior* *ὁ ἅγιος*, and the Authour of the Life of *St. Nilus*, to that of *Theodosius Senior* *ὁ ἅγιος*, besides the Roman Council to *Theodorich King of the Goths*, though an Arian, gives the addition of *Sanctus Princeps*. The Emperours all ever are called *Sacratissimi*, and *Divinissimi*. They of themselves use these phrases *Numen Nostrum*, and their Letters are called *Sacra*, *Divina Litteræ*, their Court *Sacrum Palatium*, *Domus Divina*, and their very Footsteps *Sacra Vestigia*. That round kind of Ray or Diadem which Gentiles put about their Gods, and later Christians about the Heads of Saints, are to be seen also about the Heads of Emperours in their Coins, as a Prerogative not

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of Merit but of Imperial and Royal Dignity. Nay that most Holy Martyr *Dionysius of Alexandria*, as *Eusebius* tells us, gave to *Valerianus* and *Gratianus* both Pagan Princes, the very appellation of *Sanctissimi*.

71. It must not be denied, but such terms of Respect and Honour were given to Emperours, who were wont to assume those and such like to themselves, viz. *Divinitas nostra*, & *Numen nostrum*, which though some later Authours so much dislike and reprehend, yet our Bishop *Mountague* in consideration of their high Place and Office, (in which respect, he, who best may, hath said they are Gods,) excuseth the Custom. But will *Alemannus* say it was a thing of course also, when Councils or other prudent Persons would exhort Princes to follow the ways of Deceased Emperours, who by flattery could neither be obliged nor disobliged by downright dealing, to propound to them such base and profligate Persons as this History makes *Justinian*; or when they would commend their Emperours, to compare them with those who for all manner of Villanies could not but be odious, and seemed Devils Incarnate, (such did this Authour think *Justinian* really to be,) rather than men? Now the sixth General Council to express the great Honour they had for *Constantine* the Emperor then present with them, Proclaimed him to be a new *Constantine*, a new *Theodosius*, a new *Martian*, and a new *Justinian*, willing him eternal memory, or praise under this Name. A most miserable Praise and Commendation had this been, had *Justinian* been so notorious a Villain; for then the whole General Council had not onely dishonoured *Constantine*, but had withen Honour and Immortal Glory to Tyrants and the Devil himself, which kind of Praising and Praying as Dr. *Crackenborth* observes, is not very suitable to the Piety and Faith of that General Council. If it be said that the Council meant onely in Religious matters, it's easie to answer that *Alemannus*, *Baronius* and the rest of that Party, condemn him as much in relation to Church business, as that of the State, and most loud Complaints do they make of great Injuries offered by him to Prelates and their Popes especially, which the Authour of their secret History as once concerned, now and then Inculcates and promises he would declare in particulars; but either the Consternation of his mind, or Consciousness that he had already done too much, or want of matter was the cause that he proved not so good as his word. Had *Justinian* been so infamous in either respect, the smell of his memory must have been too strong and Rank in the time of the sixth Council, to have made a perfume wherewith the Fathers intended to make themselves acceptable to *Constantine* there present in their Assembly.

72. But if Councils be fallible, let us come to Popes, and let *Alemannus* and *Baronius* put both sorts of Testimonies together. Pope *Agarbo* one of their Canonized Saints, in his Epistle to the Emperor *Constantine Pogonatus*, to prove out of the Fathers, that two Natures are in Christ, adds; And above all these, *Justinian* the Emperor of Holy memory, a zealous Defender of the true and Apostolical Faith teacheth this, whose Integrity of Faith did as much exalt the Christian Commonwealth, as by the sincerity thereof it was pleasing unto God: and whose Religious memory is esteemed by all Nations worthy of Veneration, seeing the Integrity of his Faith set out by his Imperial Edicts, is spread abroad and praised in the whole World. So *Agarbo* with whom consented and joined the whole Roman Synod, consisting of one hundred twenty five Bishops, in a Synodal Letter written to the same Emperor *Constantine*, wherein they exhort him to imitate the Piety and Vertue of *Constantine*, *Theodorus*, of *Martian* and *Justinian* the Great, the last indeed but the most excellent of odofius, whose Piety and Vertue restored all things into better order. Thus is *Justinian* them all, whose Piety and Vertue restored all things into better order. Thus is *Justinian* set forth in the Letters of *Agarbo* and his Synod, which the sixth General Council hath approved in these words: *Peter* spake by the mouth of *Agarbo*: We all consent to the dogmatical Letters of *Agarbo*, and to the suggestion of the Holy Synod under him, consisting of one hundred twenty five Bishops. *Constantine* in the name of the whole Council faith, We all with one heart and voice believe and profess, and admire the Relation of *Agarbo*, as the Divine voice of *St. Peter*. And of his Epistles *Domitius* Bishop of *Prusias* adds. Freceive and embrace the suggestions of the most blessed *Agarbo*, as inspired by the Holy Ghost, as uttered by the mouth of *St. Peter*, and written with the fingers of *Agarbo*. Thus by the Testimony of Pope *Agarbo*, and an whole Roman Synod, confirmed by the sixth General Council, to be as certain, and true as if *St. Peter* or the Holy Ghost had uttered the same; *Justinian* is declared to have been not onely for Faith Orthodox, but for Vertue and Piety renowned, and held in veneration by all Nations, and praised of all the World; and to have been more excellent than even *Constantine*, *Theodosius* and *Martian*. It's an even wager those Fathers had never seen our Secret History.

H h

73. Of

Novo Justiniano
eterna memoria.
Añ. 16. 17. 18.

Pra omnibus &
mulator vera &
Apostolica fidei
via memoria Ju-
stinianus Augu-
stus, etc.
Estat apud Añ.
4. Concil. Gene-
ral. 6.

Ibid. p. 21.

Extremi quidem
praestantissimi ta-
men omnium.

Añ. 18. Serm.
proph.

Et Añ. 15. 8. 6.
Añ. 18. p. 93.

Añ. 8. p. 29.

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73. Of Authours who wrote in later times *Aimonius* giveth him this farther testimony, that *He* was for Faith Orthodox, for Piety renowned, a marvellous lover of Equity, and therefore all things co-operated to his Good, and he governed the Empire in an happy manner. The true *Paulus Diaconus* saith to the same purpose, that *Justinian* governed the Empire in an happy sort, and was a Prince for his Faith Catholic, in his Actions upright, and just in Judgment; and therefore all things concurred to his Good. Others (that we may not be too tedious) give him large Epithets for Piety and Vertue, but *Wernerus* his words are to be taken notice of, who writes, that *He* was in all things most excellent, for in him concurred three things which make a Prince truly glorious, viz. Power, by which he overcame his Enemies; Wisdom, by which he governed the World with just Laws; and a Religious Mind towards God's Worship, by which he glorified God, and beautified the Churches. *Platina* speaking of *Justinus* his Successour, saith, *He* was in nothing like to *Justinian*, for he was covetous, wicked, ravenous, and a Contemner both of God and Men; Whence it must follow that according to him *Justinian* was bountifull, just, religious, and one that had regard both to God and good Men. The *Chronicon Reichspergense* testifies, that *He* performed many things profitable to the Commonwealth, and so ended his Life. *Munster* writes of him, that *He* was a just and upright Man, and in finding out matters ingenious. And we shall conclude with *Sigontus*, a man as diligent in searching out truth, and as industrious in turning over the Libraries of Italy, as the best of *Justinian's* ill-willers, who ends the Story of his Life, and of the Western Empire, with this testimony of him, that *He* was a Man deservedly to be reckoned amongst a few, (or, that there were but few such Men) for he was a Prince renowned both for War and Peace, a famous restorer of the ancient Roman Glory, and without doubt the last as well of the Good as the Valiant Emperours of the East.

ria Insignatur extimui, ac sine dubio bonorum simulac sortium Imperatorum Orientis ceterum.

74. And yet his Friends must not deny, but that many Faults were committed during his Government. His Dominions were so vast, that various Accidents must needs fall out, and his Reign so long, that often necessarily must they have been repeated. Those that see by the Eyes, and hear by the Ears of others, have the least ground to pretend to Infallibility. Therefore no very great wonder it is, if one go about to reconcile the passages, which at first seem to have been very dissonant, if not contradictory. He might be good himself, and yet have the fortune amongst so many various Employments as the Empire afforded, to be ill served. His inclinations might be right and just, but diverted by the importunities and petulancy of an evil Wife, even good men, who are unfortunate in that kind, yielding often to that for quietness sake, which, if left to themselves, they would never have practised. At such distance it's impossible to assign and mention those particular Causes and Reasons of his Actions, which might possibly be justified, were they known. And for other Authours, whose Testimonies *Alemannus* produceth to strengthen the Character given by this Secret History, *Suidas* and *Enagrios*, most of them wrote after, and received their Intelligence from them. *Agathias* doth industriously apologize for *Justinian*, and affirmeth, that the decay of Discipline amongst the *Scholarii*, or Pretorian Bands, began before his time, in the Reign of *Zeno* the *Isaurian*. Whereas the Secret Historian talks so much of his savage Cruelty; it appears rather, that he was too merciful, from the Authentick Writings of *Procopius*, who affirms, that he suffered the ill Officers of his Armies to go unpunished, and relates how *Artabanes* and his Complices, though they had conspired against his very Life, were dismissed without any great harm received. As for *Theodora*, he tells us, that she was always inclinable to assist distressed Women. And that she was so beautiful, that no skill of Man was able to set it forth in words, nor by any Image or Resemblance to declare it. If therefore *Justinian* was overcome with her Beauty, and sometimes let her reign as the Mistress of his Affections, he is to be blamed, but no man will say he submitted to her humour out of malice, or for want of good Nature.

Ἰν τῇ ἐκείνῃ τῇ ἰσχυρῇ ἀποκαταστάσει, ἡ δὲ Θεοδώρα αὐτὴν ἐκείνην ἀπέλαυνε. Procop. Edific. l. 1. de statu Theodora a Procopio posita.

75. These things may justly move some doubt, whether indeed *Procopius* was Author of this Secret History. We have little for it but the Testimony of *Suidas*, such as it is. There is neither Name nor Title to encourage us to believe it. *Nicephorus*

De gestis Francorum, lib. 3. c. 8.
De gestis Longobardorum, l. 1. c. 25.

Ann. 504.

Ann. 555.
in Justiniano.

Vir inter paucos meritis numerandus, quippe Princeps bellicus, pacis inclitus ac veteris Romane glorie.

Goth. Hist. l. 3.

Ἦν ἄν τις ἐκείνην ἀποκαταστάσει, ἡ δὲ Θεοδώρα αὐτὴν ἐκείνην ἀπέλαυνε.

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cephorus indeed saith, he wrote a Retraction of some things, wherein he had too lavishly commended *Justinian*; but this is ten times more than a Retraction, such a strengthening of his Pen as makes it more crooked on the other side. Such a rude, unpolished and disorderly piece of stuff, seems rather the brat of some *Sciolus*, and Pretender of those times, some Corner-creeper that was very much displeased with the Emperour. Upon the account of Religion, and the three Chapters elsewhere to be spoken of, some learned and judicious Men do conclude, that *Enagrios* bespattered him in that manner, as we find in his History. And here we find our Writer sometimes complaining of *Justinian's* siding in Religion with the adverse Party, his sticking to the Council of *Chalcedon*, and persecuting those that were not of his Opinion. But be the Authour of it *Procopius*, or any other, this particular Censure following must stick to the Book. Part of the matter therein contained (of the manner or contexture we have already spoken) is true, and inexcusable. Part of it is true, and may admit of Excuse. Some of it is utterly false, some of it inconsistent and contradictory, and some of it extravagant, and out of all measure ridiculous. For the first, it may be granted that *Justinian* was too much addicted to his Wife, and that he too much favoured the Faction of the *Venetii*. What in private Men may be called indulgence, in this kind, in Princes is great Injustice, when the Passions of Women come to have influence into Affairs of State. That he suffered *Theodora* to persecute *John the Cappadocian* in that manner, he is to be blamed, because possibly he did it more out of compliance with her desires, than for the merit of the Man; and yet this is the censorious Judgment of *Procopius*, and we must take his word for it, who though he grants the Man did deserve as much or more than he suffered, yet affirms *Justinian* to have had a more than ordinary kindness for him. His too much siding with the factious *Venetii* cannot be excused, although it was the custom of his Predecessours to addit themselves to one of the Parties. *Vitellius* was of the same Humour, who flew several of the common sort, because they had cursed the *Venetian* Faction, taking for granted that they did it in contempt of himself, and out of hope of success of some new Design. On the contrary, *Caligula* as much favoured the *Prasini*.

76. Besides, the demeanour of the *Prasini* was sufficiently petulant and provoking. Tumultuously and saucily they demanded Justice against *Calopodius* and *Spastharis* in the open Cirque, as appears by what *Theophanes* wrote concerning the Sedition called *Nica*, which *Alemannus* hath published out of the *Vatican* Library. His lavish expences of the publick Treasure both upon Buildings and the Barbarous Nations, seem deservedly to be censured. His Buildings were vast, and highly magnificent, and could not be the product of so base and ignoble a Spirit, as the Secret Historian makes him to have been, however it be very true, that great Spendings must be one way or other great Scrapers, for nothing is more deceitful than Building, wherein we see it commonly happen, and even to wife Men themselves, that the Expences at length double or treble the value of what they first designed. Indeed he left infinite Monuments, either of Piety or Magnificence, in this kind, and that first in Building new, or repairing old Churches decayed: The Church called *Sophia*, built by him at *Constantinople*, was the mirror of all Ages. Of this *Procopius*, so great an Historical Saint with *Alemannus*, for his Liberty, Veracity and Hatred of Flattery, as an Eye-witness, testifieth, That the Magnificence thereof amazed all that saw it, and was incredible to those that saw it not. That the Height of it mounted up to Heaven, the Splendour of it was such, as if it received not light from the Sun, but had it in it self; the Roof was decked with Gold. The Pavement beset with Pearl. The Silver of the Choir alone amounted to four Myriads, and it was thought to have excelled the Temple of Solomon. Besides this, he built every where throughout the Empire so many Houses, to the Honour of the Blessed Virgin, so stately and sumptuous, that *Procopius* tells you, should you but view and consider only one of them, you would think his whole Reign to have been employed in building that alone. At *Constantinople* he built three of this sort, one in *Blacherius*, formerly mentioned, another in *Pege*, and a third in *Hierio*; besides others, built in Honour of *Anna*, of *Zoa*, of *St. Michael*, of *Peter*, and *Paul*, and of *Sergius*, and *Bacchus*, (both of which, in the brightness of Gems, excelled the Sun) of *Andrew*, *Luke*, *Timothy*, *Acacius*, *Mocius*, *Thirsis*, *Theodorus*, of *Tecla*, and *Theodota*, all which he raised from the very Foundations, with that at *Constantinople*, the Beauty and Dignity of which cannot by words be expressed, nor by the Eye sufficiently discovered.

77. He built like magnificent Churches also in other Cities, as at *Antioch*, *Sebastia*, *Nicopolis*, *Theodotia*, *Tzani*, *Justinianea*, where he was born, at *Ephesus*, *Helena*, *Nice*,

Suetonius in Vitell.

Lib. 59.

Ἰσχυρῇ ἀποκαταστάσει, ἡ δὲ Θεοδώρα αὐτὴν ἐκείνην ἀπέλαυνε.

**Vide Alemann. in notis, p. 61, &c.*

De Edif. Justiniani, l. 1.

Ἰσχυρῇ ἀποκαταστάσει, ἡ δὲ Θεοδώρα αὐτὴν ἐκείνην ἀπέλαυνε.

Templum hoc decoravit vestibus Porphyry, Cyrenae, Flavius nobilissimus Poeta de quo videndus Agathias, lib. v.

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singing out, Thou art troubled with an *Hernia*, as he had appointed them; after which he retires home in discontent, breaths nothing but Anger and Fury, and not being able to doe any thing else, takes this Courte to be revenged both on her, and *Justinian* her Husband, who it's probable, did also some other way difoblige him.

86. Whosoever was the Author of the Book, from his Malice, and the mistake either of *Suidas* or his Transcriber, another Scandal hath risen concerning *Justinian*, which must by no means be passed over in silence. As he maliciously compares him to an *As*, so he hath been reported so ignorant that he was not able to read, that he knew not so much as his very Alphabet. Several learned Lawyers as *Alciatus*, *Budæus* and others have swallowed this down, and *Baronius* glad of such an advantage against him, without any Examination of the Truth thereof, runs away with it, and improves it to Ostentation. Such an one as *Justinian* make Laws of Faith? An *Abcedary* Emperour, an illiterate Divine; utterly unlearned, who knew not how to Read: Who could never read so much as the Title of the Bible, no not the very first Elements, not his Alpha Beta. He on a sudden to become a palliated Theologe? He to prescribe Laws to the Church? And so he goes on in the same strain. But that this is a most lewd Lye, appears by several particulars. First it's evident, that he used constantly the Conversation of the learnedest Bishops, or Priests of his time, † Every Night sitting up late, and Discouraging with them in his Study concerning the points of Christian Religion; which Conversation could not leave him so Rude and Illiterate. Then *Liberatus* who lived about his time, and bore him no Good Will; yet hath recorded that he wrote a Book against the *Acephali* or *Eutychian* Hereticks, in defence of the Council of *Chalcedon*, and that *Theodorus* seeing him so toyl himself in writing against Hereticks, told him, he should not trouble himself with writing Books, but maintain the Faith by publishing Edicts. *Isidore* testifies, that he published certain Books concerning the Incarnation of our Lord, and made a Rescript against the Synod of *Illyricum*, and the *African* Bishops, wherein he condemned the three Chapters: It would be too tedious to reckon up all the Testimonies of Writers, who speak concerning his Books written, and his Disputations in matters of Religion; and that he wrote himself, and used not the hands of other men, the Pontifical acknowledged as it is cited by *Tritemius* in these words: *Justinian the Emperour a Religious man, sent unto the Apostolic see his Profession of Faith written with his own Hand, testifying his great Love to the Christian Religion.* In regard of these (it seems excellent) Writings both Pope *Agatho*, and the whole Sixth general Council, which sat in the next Age of *Justinian*, reckon him in the same Rank, as we shew before; not only of Ecclesiastical Writers, but of venerable Fathers, with *St. Cyril*, *St. Chrysostome* and others.

87. But not onely was he skilled in Theology, but in the other Arts and Sciences, which are Hand-maids to that Sovereign knowledge. *Agapetus* Deacon of the Church of *Constantinople*, and his Contemporary, affirms, *That happy time to be fallen out in his days, which one of the Ancients had predicted, when either Philosophers should be Kings, or Kings turn Philosophers:* Then saith he, *In respect of your Philosophy, you are esteemed worthy to Reign, and by Relinquishing you have not lost your Philosophy.* That this was not mere flattery, other Testimonies make more than probable. As for Example, to shew that he was skilled in Musick; *Theophanes* in a Greek Hymn, concerning the Divinity and Oeconomy of Christ, composed by him according to the Church notes, and sung at this day by the Greeks in their Service. In Architecture he was so expert, that as *Procopius* witnesseth, he himself designed and delineated the Models of many Buildings, and gave Rules and Directions to the Artificers; as in the Temple of *St. Sophia*, the Palaces in *Heraclum*, and the Haven at *Constantinople*; the Church of the Blessed *Virgin* at *Jerusalem*, the City of *Daras* and others. For his skill in the Laws, not to speak of the Compiling of the Pandects, Code and Institutions, which may be objected was done to his hand by others, he himself composed many of his Novel Constitutions. This the secret Historian sufficiently testifieth, though without any Intention of doing him the least right in this Point, affirming that such Rescripts as were to be made in Answer to any Consultation or Petition, he did not commit to the *Quæstor* as the Custom was, but composed himself; and indeed many more were composed, both by himself and others, than are now extant in our Books. That which was made at the instance of *Sabas* against the *Samaritians* (mentioned in the 129th, as now we have them) he and *Tribonian* framed at the third hour of the day, in his Palace called *Magnaura*. Indeed his style is something harsh and fa-

Justinian was not an Analphabetus.

Repete Hylion ex p. 69, 70. Secret.

† Kαὶ ὅτι οὗτος ἀνὰ τὸν αἶμα λέγοντος αὐτοῦ τὸν ἑαυτοῦ ἵστον ἐκείνην ἡμέραν, ὁ βασιλεὺς ἐκείνην τὴν ἡμέραν ἐπὶ τῷ ἑαυτοῦ ὄντινι ἔγραψε τὸν νόμον.

Appar. Sac. in verb. Justinian.

In Paraph. Vide Aletmann in Notis, p. 151, 88, 89, qui Justinianum hic agnoscit ab a. Gallumia liberat.

De Edif. l. 1. §.

Vide quomodo Aletmannus id probat in Notis p. 151. Ut Cyrillus Synthepticiam p. 64.

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vouring of *Illyricum* his Country; they are full of Words and, like the other Constitutions made in these times, have not that Elegancy which abounds in the writings of the Ancient Lawyers, yet extant in the Pandects, but have a Taste of the *Astarch* flanting kind of Speech, peculiar to these Ages and Places. But although in Compiling other Laws, he used the help and Industry of learned Men; yet when they offered the Books to him, he saith, *Et Legimus & Recognovimus*, which the Gloss explaineth by a *Nos ipse*, we our selves have Read and perused them.

88. Therefore *Aletmannus* here forsakes the Cause, and tells you it is a great mistake, that *Justinian* was an *Analphabetus*. That this Opinion had obtained for an hundred and twenty years, and no more, after the *Milan* Impression of *Suidas*, which yet was amended by *Demetrius Chalcondiles*, a man who very well deserved of the Greek Tongue. All the Vatican Copies, he saith, have *ἴσμεν*, and not *ἴσμεν*, and indeed there are many and gross mistakes committed in Books, in confounding these Names of *Justin* and *Justinian*, as appears from *Euagrius*, the Epistles of *Cassiodorus* and others. *Justin* was *Analphabetus*, and being towards his latter end grown Childish and stupid; this as well as other things might by mistake be ascribed to *Justinian* his Nephew, who for his excellent Endowments by *Theodabatus* King of the *Goths*, is deservedly styled *Sapientissimus Imperator* and *Princeps Doctus*, and as *Aletmannus* witnesseth in an Ancient Vatican Manuscript, there is this to be Read: *The fifth Holy Synod of Constantinople in the time of Justinian, Doctissimi Imperatoris, The most learned Emperour.* To leave this therefore, and come from his inward to his outward Lineaments: He was of Stature more Tall than ordinary, of a Ruddy and pleasant Countenance, lookt cunningly, had large Eyes, and used the Razor, having a smooth Chin, as all the Pagan Emperours had till *Adrian*; who, as *Dion Cassius* saith, first began to wear a Beard, as afterward *Julian* the Apostate again broke the Custom, and for that was jeered by the *Antichrists*, against whom he wrote a Book called *Misopogon*. Yet after *Justinian*, the Greek Emperours generally wore Beards. The secret Historian tells us, he was very like the Emperour *Domitian*, whose Statue was standing in his time. But we know not how to trust him, because he makes the Wife of *Domitian* very unlike her self. He tells us, she was a good and honest Woman, that the injured or troubled no Man, and never approved the unjust Actions of her Husband, and that being mightily beloved, she was called into the Senate, and bid ask what she pleased: Whereupon she prayed the Fathers, that the might have leave to bury her Husband's body, and erect him one Crown Statue where she thought fit, which was granted her. Now the story of her Goodness, is contrary to what other Authors, both Greek and Latine, have written of her; who affirm her to good Natur'd and Honest, that she was privy to *Domitian's* her Husband's death, as not onely *Dion Cassius*, but *Sextus Aurelius, Philostratus, Georgius, Syncellus* and others, of both sorts have related. And as for that other passage of her gathering his pieces together, into which the enraged People had torn him, *Suetonius* making a Narration for his Funeral speaks not one word of these things; but tells us, his Body was carried out in an ordinary Biere by the *Vespilones*, and buried in the *Via Latina*, by *Phyllis* his Nurse, in her own Suburb. But see the Ingenuity of the secret Author: *Domitian*, he saith, had a very good Wife that opposed his Villanies, and yet was a cruel Tyrant: *Justinian* had a very bad Wife, which encouraged him in doing ill, nay provoked him to it; yet *Justinian* was as ill as *Domitian*, nay the cruellest Tyrant, and Monster that ever lived under the Sun.

89. When he signed any thing, he was wont onely to write the Letter I, which thereupon is called *Justinianus Apex* by *Coriopis* the Poet. Yet his Uncle not able to write his own Name, as the secret History assureth us, had four Roman Letters cut in Wood, wherewith he was wont to sign, being first moistened with that Colour, which the Emperours used in such Cases. This was purple, called in our Books *Sacrum Encaustum* (at this day in *Italy*, *Enchiestro*) which was kept in a Standish, in Figure representing a little Dog; from which he that had the Custody of it, and brought it still to the Prince, was said to be *à Canicula*, being ordinarily one of his most inward Councillours, and a near Kinsman. But although *Justin* signed with four Letters, as the Ancient Romans, some Names with three, others with two, and some but with one, as *Justinian*, yet afterwards the Eastern Emperours usually put to their whole Names; but the Letters thereof were folded in strange and secrets Knots and Implications, as appears in their ancient *Diplomas*, like to those which our People have lately got upon their Coaches. But to make an end with *Justinian*, as it's more than time, by his Wife *Theodora* he had a Daughter, of which was born, as seems from the secret History, *Anastasis* whom his

Prozen, ad Iustitiam.

Vide Aletmann. Notis, p. 18. 35, 37, 122, 124, 125. Vide Procop. Bell. Vand. l. 1. c. 1. Auth. Hist. Secr. p. 29. Appar. Cassiod. App. variat. lib. 10. Epp. 9. 22.

Vide fermam Justinianus, apud Aletmann. in Notis, p. 28. 77. Ubi haec.

C. l. 6. de divers. Rescrip.

Vide Aletmann. Una littera ut. M. T. C. dicitur ut Ca. tribus ut Secr.

C H A P. III.

From the Death of Justinian the Great, and the Promotion of Justin the Second, to the Death of Heraclius, when the Saracens began to grow terrible to the World.

The Space of seventy five years.

Justin succeeds his Uncle.

JUSTINIAN being Dead, Justin succeeded him, the Son of Vigilantia his Sister, and Dulcissimus; in the fourteenth Indiction, the seventh of John the Roman Patriarch, in the fifty first of Clotarius King of the Franks, in the DLXV year of our Lord.

vis vocabulum sui. Procopius Græcorum more eam Biglantia vocat; sic apud Mauritiū in Strategis Βίγλανα & Βεγλάντα vigilia, vigilare. Errores quos in Justiniani genealogia texenda commiserunt Arouldus Pavoninus, Tribemius, vide tibi in diagrammate ab oculo positi quæ Alemannus in Notis, p. 67. De initio Justinii vide Baro. Quæ memorare potui tanta miracula pompe?

2. His Uncle dying about midnight, he was raised out of his Bed by Callinice the *Præpositus Excubitorum*, and advised to bestir himself for the Imperial Diadem. Coming then to Court, he found the Senate very ready to accept him for their Prince, and took immediately the Government upon him, while in the mean time his Relations take care of the dead Body of his Predecessour. *Sophia* the Neice of *Theodora* and her successour also in the Imperial Dignity, as the Wife of Justin, covers it with a very rich Cloth, wherein are imbrodered the Actions of the Deceased Emperor, and at length it's carried forth to Burial, with miraculous pomp, as *Corippus* the Poet phraseth it, who hath excellently described the manner thereof. But e'er the Body was Buried, Justin had taken the Ensigns of Majesty which he performed in a Religious manner, first making his Prayers to his Saviour, and then receiving the Benediction of John the Patriarch of Constantinople, with the Crown from his Hands. This Ceremony over, and the Acclamations made, he now seated in his Throne, makes a speech to the People, and perceiving some amongst them to make complaint of the Debts owing them by his Uncle, ordered them presently to be paid. He appeased the factious *Venetii* and *Praefini* with a courageous Message, bidding the *Mandator* (who was the Emperor's Officer in the Cirque, as the *Questor* was in the Senate,) tell the *Venetii* that Justinian as to them was Dead, and the *Praefini* that as to them he still lived, which having received, they became quiet and so remained afterward. But to please the People in general, he promised to restore the Consulship, and accordingly when the first of January came, he took upon him that Title, and gave a donative to them according to the ancient custome, going to Church there to worship Almighty God after the Christian manner, as the Pagan Consuls were wont to ascend into the Capitol.

He appeases the factions of the Cirque.

Takes the Consulship.

3. Such was the beginning of Justin, who so seemed to have established himself, that he feared not the Incurfions of the Barbarous Nations. Not long after his entrance upon the Consulship, he gave audience to the Ambassadors of *Gaganus* King of the *Avari*, who came to demand the Pension formerly paid them by Justinian, to purchase the quiet of his Provinces; but Justin flatly refused to pay them any, and sent them home as empty as they came, threatening to chastise their Insolence with War, if they presumed to offer any violence to his Subjects. This perhaps he might be more bold to say, because *Photius* hath it in his *Bibliotheca* from *Theophanes* an Historian of Constantinople, that the *Turks* a people inhabiting the parts lying upon the *Tanais* toward the East, (of old called *Massagetes*, but by the *Persians* in their own Language *Chermichione*,) sent their Ambassadors to him with Presents, desiring him that he would not patronise the *Avari* their greatest Enemies. What success this Courage and Confidence of Justin had we shall see hereafter. His beginning was very good, had he but continued in the same course of Vertue, but he presently began to fall off into a voluptuous sort of Life, and to maintain

Positum sumus plenius state vestrum Affertem benedixit cum, et liquo parentem Eorum Dominum sacri & ademptum Justinianum facere caput, summi que coram Imperatoris apud, etc. Theophanes Vite Alem.

Vide Corippum.

maintain and nourish the fire of his Lust and brutish appetite, scraped money together in any unlawful manner whatsoever, selling and making money of all things, and without respect to that God he had at first pretended so much to honour, exposing to sale the Church preferments, even to the vilest sort of the People. And he presently gave the world a notable sign of his intemperate mind, in publishing in his very first year several Constitutions concerning Marriage. By one he repealed the penal Laws of Justinian made against unlawful Marriages, refusing to separate such as had contracted them. This bears date on the first of January; But a worse followed the next September, which made it lawful to break any Marriages, the consent of the Parties first obtained.

4. "In this Constitution he begins with a commendation of Marriage, as a venerable thing in respect of the procreation of Children, without which all Countries and Cities must at length turn Desolate, and all Commonwealths come to nothing. Therefore he wishes it were always so fortunate, that without just cause it need never be dissolved. But forasmuch as amongst such multitudes of people, it's impossible but that some times vehement and irreconcilable differences must arise, he thinks fit to find out a remedy for this Distemper, especially in such a case where the hatred betwixt Man and Wife are so great, that there is no means to be found for a Reconciliation. Now the ancient Laws permitted such to be divorced, provided it were done by consent of both Parties. And many such Laws there were, such a dissolution of Matrimony was also said to be made *bonâ gratiâ* in the vulgar Tongue. But afterward that most Sacred Prince his Father, (who in Piety and Wisdom excelled all Princes that ever Reigned,) out of his own benign and constant temper and inclination, and a sense of the miserable and pusillanimous condition of others, made a Law that forbade Marriages to be dissolved though by consent, which he wishes heartily might remain in it's force and vigour. But many he saith had addressed themselves to him, and signified a great hatred and aversion they had to the matrimonial bands wherewith they were naturally incumbered, and (which is worse and ought fiercely to be lamented,) great Bickerings, Quarrels, and Strifes, had already arisen as both Parties complained in way of Accusation, and therefore desired their Marriages might be null'd, although they could not alledge any Causes or Reasons allowable in Law for so doing. He tells us, he had sometimes lovingly admonished, and sometimes threatened, endeavouring to compose these differences, and end these distractions in an amicable way, not suddenly condescending to what they desired. But he nothing profited thereby, it being a thing exceeding difficult, to reconcile such as have conceived an inveterate hatred; for the breaches grew still wider, and some proceeded from Quarrels to Conspiracies, and at length it came to poysonings and other mischievous devices; so that sometimes it happened, that Children which ought to be Pledges of mutual Love, could not reduce them to a good understanding.

5. "Forasmuch therefore, he saith, as these things are not at all convenient for the times wherein he Reigned, he betakes himself to this present Constitution, whereby he decrees and ordains that it be lawful, as formerly it was, to dissolve Marriages by consent, and Repeals what formerly his Father by his Sanction had ordained against such as so solemnized them. For if mutual affection causeth Matrimony, with good reason the contrary Inclination by mutual consent dissolveth it; provided this be declared by bills of Divorce sent for the same purpose. Provided also that what by other Laws, especially by the sacred Constitutions of his Father, had been ordained concerning free Marriages, and the causes by which it was permitted to dissolve Matrimony, as also concerning them, who without any cause separated themselves, and the penalties inflicted upon them, by virtue of this present Constitution, retain their full effect, power and virtue. Then follows his Epilogue, whereby he enjoyns that, what by this Law he had declared and published, should after the wonted manner be exposed to the view of the people in the City of Constantinople, and he dates it on the eighteenth of the Calends of October. Now the Reader must know, that formerly this Constitution was taken for Justinian's being crowded amongst his Novels, but later Interpreters have discovered the mistake, and *Baronius* being in a very good mood, tells you he is wronged; forasmuch as Justin testified that the contrary to it had been decreed by Justinian. He tells you that you may nothing doubt hereof, you have the edition of *Johannus* the Antecessor, wherein this Constitution being recited is ascribed to Justin and not to his Uncle. And this he was obliged to say, to vindicate Justinian from the Calumnies which some have fastned upon him.

He makes it lawful to dissolve Marriages by consent.

Enagium l. 5. 8.

Justin. Novel. Conf. 3. apud Justin.

Apud Novel. Justiniani 140. tit. 23.

Hæc constitutio extat in Conf. Justiniani quem non possit nisi inglam & Justinianum dicere. l. 2. c. de Repudiis. Reducitur Justiniani, l. 60. §. 1. de donat. inter vir. Nov. 22. c. 4. abrogata. Nov. 17. c. 10.

Bonâ gratiâ dicitur matrimonium dissolvi, quod dissolvitur volens. Hæc conjugibus. Bonâ gratiâ idem est apud Tertul. lib. de Monogamia, amicitia ratione videtur. Sed ex bonâ gratiâ Matrimonium dissolvitur aliquando ex causa ad l. 60. §. 1. 62. interdu. Justin. causa in hic.

Jure veteri inter valde de causa permittitur repudium.

Sed vide C. de Repud. l. 8.

Ad Ann. 566. num. XI.

He turns Cruel.

6. However *Justin* pleaded the ordinary people by this new Law concerning Marriages, he disgusted all sober Persons by his bloody Actions the year following, putting to Death several men of extraordinary Eminency. The principal of these was *Justin* his Kinsman, of whom being employed much in the Wars we have often heretofore made mention. *Euagrius* writes, that *Justin* the Emperour being intangled with two contrary Vices, Foolhardiness and Cowardice, first commanded *Justinus* his Kinsman to come to his presence, a man of great Honour and Estimation, both for his great Abilities in War, and other rare accomplishments of his Person, who then resided about the River *Danubius*, to restrain the Incurfions of the *Abari*. These *Abari* he tells us were a People of *Scythia*, and part of those called *Amazobii*, inhabiting the Regions beyond *Caucasus*, but being driven out of their Country by the *Turks* their Neighbours, and variously infected by them, they came first to *Bosphorus*, and thence quitting the Coasts of the *Euxine* Sea, (inhabited by Barbarians, though the Cities and strong Holds were in the hands of the *Romans*;) they held freight on their Voyage, and subdued all Barbarous Nations before them till they came to the *Danube*, whence they sent Ambassadors to *Justinian* the Emperour. Hence now was *Justin* recalled to reap the benefit of the Agreement, as was pretended, made formerly betwixt him and *Justin* now Emperour; for seeming both to be of equal fame, and as well the one as the other, capable of the Empire, after long debates had about the Imperial Power, they covenanted betwixt themselves, that whethersoever of them were Crowned Emperour, should make the other the second Person in Honour, and though second in respect of the Emperour, yet he should be first in respect of all others. At first therefore that *Justin* who was preferred to the Empire, imbraced the other with counterfeit kindness, but by little and little forged Crimes against him, took from his Guard and Train, commanded him to keep his House, and at length ordered him to be hurried away to *Alexandria*, where about midnight he was cruelly Murdered in his Bed, and received this recompence for the love he bore to the Commonwealth, and the notable Service he had done in the Wars. And yet by this were not the Fury and Rage of the Emperour and his Wife mitigated, but they must see his Head after it was cut from his Shoulders, and kick it with their Feet in an insulting and scornfull manner.

Murthers Justin his Kinsman.

Purs to Death Aetherius and Addaeus.

7. Not long after *Justin* called to Judgment *Addaeus* and *Aetherius* two Senators, and in great place and esteem with *Justinian*, accusing them both of most heinous Crimes. And *Aetherius* confessed he had designed to Poison the Emperour, and that *Addaeus* was of his Council herein, and conscious to all his Purposes. But with solemn and dreadfull Oaths, *Addaeus* protested he was altogether Innocent, yet both of them lost their Heads. *Addaeus* at his Execution confessed freely, that though he was not guilty of that Crime for which he was Condemned in the least, yet he had deserved that punishment from the just hand of Almighty God, who both sees and punishes wicked persons; For he had by Incantments made away *Theodotus*, Prefect of the Palace. Whether these things were so *Euagrius* is not able to say, but affirms that both these were wicked Persons, for *Addaeus* was a Sodomite, and *Aetherius* deviled all sorts of Calumnies against Innocent men, and under colour of serving the Emperour in his Office of Prefect of his Court, spoiled both the Living and Dead in the Reign of *Justinian*. So went matters at *Constantinople*, while all things were thought to be in repose in the Western parts, and especially in *Italy*, where the *Goths* and *Franks* had been lately defeated, so that no danger at all seemed to threaten that Country. But a great Noise was presently heard of Barbarians, that again were crowding and rushing into it, filling all places with terror and amazement, and putting to silence all other motions, as great Thunders and Concussions are wont to suppress lesser sounds. These were the *Lombards* who were now making their expedition into *Italy*; upon what Inducements, and in what manner we come to shew after that we have first made some short Observations concerning the Original of this People, which grew afterward so considerable in *Italy*, and the name and fame of which is not extinct at this very day, their name sticking to their Country.

The Lombards invade Italy.

The Original of them.

8. As for their Original then, it may without much difficulty be gathered out of ancient Writers, that the *Vandals*, *Ostrogoths*, *Westgoths*, the *Gepidae*, and *Lombards*, all owe their descent to the Island or rather Peninsula of *Scanzia*. As also that the *Goths* properly so called, and the *Gepidae* and *Vandals* were of the same *Gothick* stock, and that the *Longobards*, or *Lombards*, (for none doubts but that from the length of their Beards they had their Name,) were descended from the *Gepidae*. These *Gepidae* were so called, because when the *Goths* made an expedition

Turcae veteres non ignorantes quidem eorum mentis Plinius adnotat ut inter eas gentes quae circa Ma- ovidem palatum habitant, item etiam meminit Agathias, lib. i.

Lib. 5. c. 6. 1. 2.

expedition out of *Scanzia* in three Ships, they failed slower than the rest, and staid in an Island of the River *Vistula*. Yet from their roving and wandering abroad were they also named *Winili*, the same as to signification of the word with *Wandals*, a diverse pronunciation of the same word, which usually happeneth in process of time making it be taken for several. These *Winili* or *Longobards* being grown in the Island to such a multitude, that it could not maintain and nourish them all, divided themselves into three parts, one whereof, on which the Lot should fall, must seek themselves out new Habitations. Forced therefore to quit their Native Country, they chose two Brothers for their Captains *Ihor* and *Ago*, the Sons of one *Gambara*, a Woman very eminent for her Wisdom, and came into a place called *Scoringa*, where they remained for some years. At this time it happened, that the *Vandals* infested all the Countries adjoining, and puffed up with their success, sent to the *Winili* requiring them either to pay Tribute, or instantly prepare themselves for War. *Ihor* and *Ago* the two Captains, by the advice of their Mother, returned answer they would fight rather than live in Servitude, considering that although their followers were not many in number, yet active and courageous, being as themselves in the flower of their Age. Acted by this natural heat and vigour and a consideration of their liberty they fought so stoutly, that they obtained a Victory over the *Vandals*; but being sorely distressed with Famine, they resolved to quit *Scoringa*, and find out some better Seat.

Under Conduct of Ihor and Ago they fall into Scoringa.

9. Making then for *Mauringa*, the *Aspittii* denied them passage through their Territories, at which being much troubled, and fearing their small Numbers would not be able to make good the Attempt, they betook themselves to a Stratagem, and raised a rumour amongst their Enemies that they had amongst them, *Cynoccephali* or men with Heads like to Dogs, who fed on Man's blood, and when an Enemy was wanting, on their own. To strike a greater terror into the *Aspittii*, they enlarge their Camp, and kindle many fires, which with the other report terrified them, that they had not the Courage to engage, but having one amongst them of great esteem for strength and Courage, offered him to fight with any one of the *Lombards* whom they should pick out; if their Champion overcame, the Passage should be denied, but if the *Lombard* should be Victour, then should it be granted free and without molestation. When the *Lombards* considered who to choose, a certain Slave offered himself, desiring that in case he overcame, the ignominy of Slavery might be taken away both from him and his Family, which granted, he fought and overcame his Adversary. Then did the *Lombards* pass into *Mauringa*, where to increase the number of Warriours they manumitted many Slaves, and making no long stay there, they proceeded to *Gotland*, where having staid also some time, they possessed themselves of *Anthabes*, *Bathab* and *Urgundab* for some years, which *Paul* conjectured to be names of certain Towns or Places. In this mean time Died *Ihor* and *Ago*, who first brought them out of *Scandinavia*, and had governed them till now.

They Pass into Mauringa.

They chuse Agelmund for their King.

10. They being Dead, the *Lombards* resolved to have no more Captains, but a King to govern them after the manner of other Nations. They made choice therefore of *Agelmund* the Son of *Ago*, who exercised this Office three and thirty years. At this time it happened that a certain Strumpet was delivered of seven Boys, which she cast into a Fishpond, and thither by chance in his way came King *Agelmund*, who spying the Children stooped his Horse, and stirring them with his Spear, it fortune that one of them took fast hold of it with his hand. The King amazed thereat, foretold he would be a more than ordinary man, and commanded him to be taken up and delivered unto a Nurse, calling him *Lamiffo*, from *Lama*, which in their Language signified a Fishpool. When this *Lamiffo* was grown up, they reported that the *Amazons* forbade the *Lombards* to pass a certain River, whereupon it was agreed, that the most valiant amongst them should fight with him in the Water swimming, on condition that if the *Amazon* overcame *Lamiffo*, the *Lombards* should withdraw, but if he got the better, they must then have free passage. He fought with her and got the Victory, as the fable went, and the *Lombards* passing the River, still made farther progress, till growing secure through their constant Success, the *Bulgares* fell upon them by Night, and wounding many killed some, amongst whom fell *Agelmund* their King; and his only Daughter was taken Prisoner. Yet the *Lombards* taking Courage chose *Lamiffo* for their King, who being a stout and active young man, thirsted after nothing so much as to revenge the Death of his Predecessour, but at the first encounter, his men were worsted and beaten disgracefully to their Camp.

Vide Graeti Prolegom. in Histor. Goth. Vandali. et Longobardum.

Paulus Warnefridus Longobardi filius Diano. Europaeus de Gestis Longobard. lib. 1. c. 6. 1. 2. etc.

Lamiffo quasi Laminis John. Pij. cine filius.

After him Lamiffo.

xi. *Lamiffio* exceedingly concerned at their flight, testified his resentment thereof both by words and gesture, putting them in mind of the Infamy they contracted by not revenging the Death of their King, and the Captivity of his Daughter designed by them for his Wife, and partly by threats, and partly by good Language and rewards, he so wrought upon them that they fell violently upon the *Bulgars*, and after a most bloody Contest, gave them a great Overthrow, which done, they bestowed a Royal Funeral on the King's body, and being enriched with Plunder, became more hardy and resolute to endure the labours of War. After *Lamiffio's* Death, *Lechus* Reigned almost forty years, and then his Son *Hildehoc* who was followed by *Gudehoc*. In those days there was War betwixt *Odochar*, (so *Paul* the Historian calls him,) who Reigned some years in *Italy*, and *Feletheus* or *Fema* King of the *Rugi* inhabiting then on the other side of the *Danube*, which separated those Coasts from the borders of *Noricum*. *Feletheus* and his Wife *Gifa* not being reclaimed from their wicked Courtes, by all that *Severinus* a Religious Person, having a Monastery in their Dominions, could say unto them, *Odochar* mustered up all his Forces consisting of *Tureilingi*, *Hervuli* and such *Rugi* as he had already brought under his Dominion, besides the people of *Italy*, and came into *Rugiland* where he destroyed both *Feletheus* and his followers, which done, he returned into *Italy*, carrying with him in triumph great numbers of Captives. The *Lombards*, as no Land is lost for want of Heirs, then came into *Rugiland*, and finding it a fertile Country, made their stay there for certain years.

12. In the mean time their King *Gudehoe* dies, to whom succeeds *Claffo* his Son, and after him Reigned his Son *Tato* the seventh King in order. The *Lombards* also now departed out of *Rugiland*, and inhabited in open Champions in the Barbarous Language called *Feld*, where making their abode for three years, a Quarrel and War arose betwixt *Tato*, and *Rodulphus* King of the *Heruli*. The Brother of this *Rodulphus* being sent upon an Embassy, for procurement of Peace and a good understanding, as he returned home again, chanced to pass by the House of *Rumerruda* the King's Daughter, who seeing a great train and equipage, asked who it was that passed by, and receiving for answer that it was the Brother of *Rodulphus*, invited him to drink a glass of Wine. In he came, but being a man low of Stature, and of a mean Preference, the derided him, which not able to bear, he returned her as biting Language, and this so nettled her, that dissembling her malice, and inviting him to sit down with his Head to a Window, she thence caused him to be killed with Lances. His Brother *Rodulphus* at the News grew very impatient, and denouncing War to *Tato*, their Armies faced each other in the open Field. *Rodulphus* orders his men to be ready for Batle, but sits at Play in his Tent despising his Enemies, and being confident in the strength of his own Souldiers, who of late had been very Victorious, and either that they might be more Nimble, or out of contempt of Danger, were wont to fight without any other covering than only something tied about their privy Members. One of his Attendants he commanded to climb a Tree near at hand, and as soon as he saw the *Lombards* run, to tell him, threatening to cut off his Head if he brought him News of the flight of the *Heruli*. The Fellow therefore out of fear, though he saw them give ground, durst not let the King know so much, but ever as he asked him what he saw, answered that the *Heruli* did gallantly demean themselves, and concealed their fortune till such time as they were absolutely routed; and he cried out woe be to these O miserable *Herulia*, against whom Almighty God is incensed, or to this purpose. At these words the King started, demanded of his Watchman if his *Heruli* fled, to which he replied 'tis not I, but thou O King that sayest it. Confounded heret, he and his Courtiers knew not what course to take, and the *Lombards* coming upon them made great slaughter, killing King *Rodulphus* amongst the rest.

13. The *Herali* were so distracted through fear, or from some higher cause, that they took the green fields for water, and stretching out their *Armes* and Bodies to swim, were miserably cut in pieces by the pursuing Enemy. The victorious *Lombards* then divided the Plunder, and *Tato* for his share took the Standard of *Rodolphus*, called *Bandum*, with the Helmet he was wont to wear in Battel. The Valour of the *Herali* became extinct, together with *Rodolphus*, after whom they refused to have any more Kings. But the *Lombards* on the contrary took such courage, that increasing their Armies by the several Nations they had subdued, they fought after all occasions of Trophies and Glory. But not long after the Triumph *Tato* was slain by *Wacho*, the Son of his Brother *Zuchilo*. *Elidichus*, the Son of *Tato*, endeavoured to revenge his death, but was beaten out of the Country, and fled to the *Gepidae*, amongst whom he spent the remainder of his days, and loved

Gudehoc, bonum
Latibulum.
Gisa in voc. Alem.
Giso. Gizo Con-
traß. ex Gifel-
breht, Comitum
copiosus, in vo-
cab. Allem. Gi-
salbert, Gifalbrer,
Gifalbreht, Gifel-
bertus. Inde Con-
traß. Gilbert.
Ruge-lant hirsuta
terra nos hodie
Rough & Ru-
gid pro Ruge.

*Classo contra ex-
claf-maer refo-
nanis fama. Tafi,
Tato, Tazo, Trazo
apud Procop. in
voce Allem. Taffi,
Taito coacerva-
tor. Feld nunc
noſtratibus Field
proprie campus
patens.
Rume-trud, cele-
brata fidei.
Cum rebus pug-
nant nomina ſape
ſuis,*

*Bandum vexillum à Binden
vincire. Binden
Angl. to Bind.*

feeds of Disfentions betwixt the two now different Nations. At the same time (*a*) *Wacho* subdued the *Suevi*, and made them subject to his Commands. He had three Wives; the first (*b*) *Ranicauda*, Daughter of the King of the *Turingi*, after which he married *Aufzugisa*, the Daughter of the King of the *Gepide*, who brought him two Daughters, viz. (*c*) *Wifegarda*, married to *Theodbert* King of the *Franks*, and (*d*) *Walderada*, Wife to *Cuswald*, another King of that Nation, who having no kindred for her, bestowed her on *Garipald*, one of his Subjects. *Wacho's* third Wife was *Salinga*, the Daughter of the King of the *Hēruli*, and on her he begat his Son (*e*) *Waltari*, who succeeded him in his Kingdom. All these were called (*f*) *Lombardi*, by which name were signified such as defended of a noble Race.

(*a*) *Wachi-lap-cha uxor, We-tien con-trast.*
(*b*) *Ranicauda, pro benevolencia.*
(*c*) *Wifegarda, sapientia collectio.*
(*d*) *Wal-rade,*

lerat, & Soni mitioris causa Waldrada. (e) Wald-hær, Nemoris Dominus. (f) Etheling, Edeling Nobilis Saxon.

14. *Waltari* reigned seven years, and then gave place to *Audoïn*, the ninth King in order, who, not long after, led the *Lombards* into *Pannonia*. Now the grudges formerly conceived betwixt the *Gepide* and them broke out into an open War. Both sides fighting stoutly, and it being uncertain to which the Victory would incline, it happened in a fight, that *Alboin*, the Son of *Audoïn*, met *Turismodus*, the Son of *Turisendus*, and striking him from his Horse with his Sword, presently slew him, which the *Gepide* perceiving, their King's Son, who had been the great fomenter of the differences, being now dead, took them to their heels. The victorious *Lombards*, when they returned home, desired their King that he would admit his Son *Alboin* to dine with him, who had been the procurer of so great a victory. But he answered, that he could not violate the Customs of his Nation, which did not admit the King's Son to eat with him, except he had first received Arms from some foreign King. Hereupon *Alboin* takes along with him onely forty young Men, and goes straight to *Turisendus*, whose Son he had lately slain, and tells him the reason of his coming. He kindly receives and admits him to his Table, placing him on his Right Hand, where his late Son was wont to sit. Yet when he conferred with himself whose place that had been, and called to mind the death of his Son, he could not contain himself, but deeply sighing, said, that feat he loved well, but he could not well brook the Person that now possessed it. Hereupon his other Son being present, began to affront the *Lombards*, saying, they were like Mares that had white Feet, because their Legs were bound about with white bands, or fillers. One of them bad him go along with them to the place called *Asfeld*, and there he should feel how these Mares could kick, where his Brothers bones were scattered as were wont to be those of some vile Carriage-beast. This provoked the *Gepide* exceedingly, and the *Lombards* laid their hands on their Swords, which the King perceiving, leapt from the Table, and putting himself betwixt them, rebuked his own Son and Servants, threatening severely to punish him that should first strike a stroke, and affirming it were a Conquest not at all pleasing to Almighty God, to kill one's Enemy in his own House. The fray being appeased, they went on with their Dinner, and *Turisendus* taking the Arms of his late Son *Turismodus*, bestowed them on *Alboin*, and dismissed him in safety. *Alboin* coming to his Father, was now admitted to his Table, where he told all that had passed in the Court of *Turisendus*, to the admiration of all those that heard it, who commended much *Alboin* for his Courage, and extolled the generosity of the King.

15. At this time, faith *Paulus Diaconus*, *Justinian* governed the *Roman Empire* in a happy manner, being in War prosperous and wonderfull in Civil Affairs. For *Belisarius*, a Patritian, he overcame the *Persians*, and utterly destroyed the Nation of the *Pandals*, having taken Prisoner *Gelsimer*, their King, and restored all *Africk*, after a separation of ninety and six years, to the *Roman Empire*. By the means of the same *Belisarius* he overthrew the *Goths* in *Italy*, taking also Prisoner *Withis* their King. After this he restrained the *Moors*, who made Incursions into *Africk*, and with incredible dexterity using the service of *John* the Exconfil, defeated their King *Attila*. Other Nations he also mastered by War, and deservedly obtained the several Surnames of *Alamanicus*, *Cothicus*, *Francicus*, *Germanicus*, *Anticus*, *Alanicus*, *Wandalicus* and *Africanus*. He adds, that he admirably contracted the *Roman Laws*, which were formerly too prolix and disagreeing. For all the Constitutions of Princes, contained formerly in many Volumes, he contracted into twelve Books, which joined together, he commanded to be called by the name of *Codex Justinianus*. Farther he reduced into fifty Books of Digests or Pandects the Laws of all Magistrates, which anciently made up near two thousand Volumes. He composed four Books of Institutions. New Laws also he enacted, which he called

K k Novels

Novels. This same Prince also built a Church in *Constantinople* to Christ the Lord, who is the Wisdom of his Father, which in Greek he named *ἉΓΙΑΝ ΣΟΦΙΑΝ*, or *Holy Wisdom*, a work which so far excels all other Buildings, that in the whole world its like is not to be found. For this Prince was in Faith Catholic, in his works upright, just in Judgments, and therefore all things concurred for good. In his time lived *Cassiodorus*, a man famous at *Rome*, as well for secular as divine knowledge, who, amongst other things excellently written, hath in an eminent manner opened the Mysteries of the Psalms. He was first Consul, then a Senator, and at last a Monk. At this time also *Dionysius*, an Abbat, by a wonderful kind of reasoning, composed the *Paschal Calculus* at *Rome*, and at *Constantinople* *Priscian* of *Cæsarea* searched to the bottom of the Art of Grammar. *Arator* also, a Subdeacon of the Church of *Rome*, an admirable Poet, wrote the Acts of the Apostles in Hexameter Verse.

Alboin

16. After this and another digression concerning *St. Bennet*, *Paul*, our Historian, returns to King *Alboin*, whose Wife *Rodelinda* brought him his Son *Alboin* a Man every way accomplisht for warlike Enterprizes. Having succeeded his Father with the universal content and approbation of his People, *Chlotarius*, King of the *Franks*, bestowed on him in Marriage his Daughter *Chlotinda*, by whom he had only one Daughter, *Alpinda* by name. In the mean time dyes *Turisendus*, King of the *Gepide*, whose Successour *Gumimundus*, desiring to revenge old Injuries, renewed the War. *Alboin*, to strengthen himself, contracted a perpetual League and Amity with that People, which formerly being called *Hunnes*, came afterward to be known by the Name of *Auares*, which they received from one of their Kings. By virtue of this Confederacy, when the War was begun, the *Auares* invaded the Territories of the *Gepide*, which News coming to the Ears of *Gumimundus*, he was exceedingly perplexed, but thought fit first to engage the *Lombards*, whom having once defeated, he could easily drive away the other. But in a bloody Battel he was slain, with almost all his Followers. *Alboin* killed him with his own Hand, and of his Skull made him a Cup to drink in, called in the Language of the *Lombards*, *Schala*, and *Patera*, by such as spake the Latine Tongue. Yet his Daughter *Rofimunda*, whom, together with an infinite multitude of all ages and conditions, he took captive, he married, his former Wife, *Chlotinda*, being dead. The *Lombards* grew rich, the booty was so great, but the Nation of the *Gepide* was so diminished, that thenceforth they had no King, but such as escaped were either subject to the *Lombards*, or Slaves, in effect, to the *Hunnes*, who possessed their Country. As for *Alboin*, he became exceeding famous, both amongst the Nation of the *Baigarii*, the *Saxons*, and others that spake the same Language; his Prowess and Virtue being celebrated in their Poems. And many reported, even to the time of *Paulus Diaconus*, that the chiefest sorts of Weapons were invented by him.

Sends assistance to Narfes

Who is envied, and Longinus sent to take his place.

He calls the Lombards into Italy.

17. The Fame of the victorious *Lombards* flying now every where, *Narfes*, the Imperial Chaturlay, who had the charge of *Italy*, and was to engage in War with the *Goths*, sent to *Alboin*, desiring his Assistance, being as King of the *Lombards*, already his Confederate. He sent him a band of choice Men, who passing into *Italy* by the *Adriatick* Gulf, did him service in his Wars, which being finished, they returned home richly rewarded; And so long as the *Lombards* inhabited *Pannonia*, they gave assistance to the *Roman* Emperour, upon all occasions. But *Narfes*, after all his Services, was envied for his Wealth and Authority, by some great ones, who sent to complain of him to *Justin*, now Emperour, and *Sophia*, his Wife, alleging, that the *Romans* had better have served the *Goths*, than the *Greeks*, under this *Enuch*, who held them in no better a condition than that of Slavery, their most pious Prince being altogether ignorant of their Sufferings. They desired in conclusion, that he would deliver them out of his hands, or else they would put both the City of *Rome*, and themselves, into the Hands of other Nations. *Narfes*, when he understood it, answered only in short. *If I have ill treated the Romans, let me be ill treated my self*. But the Emperour was so much moved against him, that he sent *Longinus* into *Italy*, to take his place; and now he knows not how to dispose of himself, for standing in great fear of *Sophia*, the Empress, he dares not return to *Constantinople*. Being an Eunuch, he had bidden them put him into a *Gynecium*, and make him distribute to the Women that spun their Portions of Wool, which, when he heard, it's reported that he said, he would spin such a Thread as should find her work as long as the lived, and moved both by disdain and fear, he sends presently to the *Lombards*, inviting them to forsake the poor and beggarly Countrey of *Pannonia*, and come into *Italy*, a fertile soil, which abounded with all things.

Erant enim hic Principes fidei Catholicæ, in quibus rectius, in iudiciis iustis, iudicari et omnia concurrebant in bonum.

Rode, lindi, pinto tranquillo, in voc. Alon. Rodelind, Rodelind, Rodelind.

In voce Almon. Alpindus. Hæc forma.

Schala fallidum calvus interfecti hominis que schale, et bostschale dicebant, ubi etiam nonnulli schall. Polus facta est ex dicta materia ad illius modum.

Paulus Diaconus de gestis Longi. l. 2.

things. And he sent them several of the best Fruits the Country afforded, as Baits to draw them on.

Some do not believe this report of Paulus Diaconus.

18. This is the Account that *Paulus Diaconus* gives us of the Motives which brought the *Lombards* first to invade *Italy*. But there are some that doubt much the truth thereof, and conceive it no absurd thing to question a Report made by one that lived at such a distance from this Invasion, as did our Writer. And they produce another, that both lived and wrote at the very time this Invasion happened, viz. *Corippus*, a Grammarian of *Africk*, from whom it appears, that *Narfes* was ever this recalled to *Constantinople*, where he was highly esteemed by *Justin*, at whose Intallment he was present, and attended him when he gave Audience to the Ambassadors sent from the *Auares*. If he was then at *Constantinople*, it cannot be imagined he should be about the same time in *Italy*, and call in the *Lombards*, who the year following broke into that Country. Neither can it be pleaded on the other side, that though he was then at *Constantinople*, yet the Emperour might send him back into *Italy*, with the same Power and Employment as formerly, because all Authors agree, that after his Return *Longinus* was sent to succeed him. But upon what account, or by what Motivessoever induced, into *Italy* they came, and made there such Devastations, and brought such Miseries upon the People, (which had scarcely had time to take a little breath, since the *Gothick* Wars) that the great mischiefs they wrought, were to be uttered in with dreadful Prodigies. For in the night time were seen in the Air, to the Northward, Armies of Men, and Spears of Fire, glittering, as it were, with the colour of Man's Blood, which ever long was to be shed in such abundance.

Prodigies affecting in the Lombards.

Other Nations joined with them.

19. *Alboin* resolving to invade *Italy*, sent to the *Saxons*, his old Friends, and confederates for aid, offering them their share in the Conquest for their pains, with which Proposals they closed, and sent him above twenty thousand Men, with their Wives and Children. Besides the *Saxons* he strengthened himself also by the aids of several other Nations, as the *Gepide*, *Bulgari*, *Sarmatæ*, *Pannonians*, *Suevi*, and others, all which had afterwards Lands assigned them in the Country. Moreover he had contracted a strict Alliance with the *Hunnes*, to whom he left *Pannonia*, with this condition, that in case the *Lombards* should return, they should re-enter and enjoy their former Seats. And being also joined in League and Alliance with the *Franks*, his Interest became the more considerable; for he was not only the Son-in-Law of *Chlotarius*, whose Daughter *Chlotinda* he had married, but thereby near allied also to four Kings of the same Nation. Animated by his own natural Courage, and these Assistances, he removes from *Pannonia*, with all his *Lombards*, their Wives, Children, and all they had, to possess *Italy*, (which he had already devoured in hope and expectation.) After forty two years stay in *Pannonia*, in the Month of *April*, just after *Easter*, which fell out that Year on the first day of that Month, in the first Indiction, in the third Year of the Emperour *Justin* the younger, the Ninth of *John* the *Roman* Patriarch, and the five hundredth and sixty eighth year of our Lord. Why *Baronius* should write, that this was done after that *Alboinus* had seized on *Pannonia*, and there staid forty two years, who also came with his People out of the *Island* of *Scandinavia*, (seeing he was, as *Paulus Diaconus* counts, the tenth King that reigned over the *Lombards*, after the death of *Ibor* and *Ago*, the Captains that led them out of that *Island*, and not he, but *Alboin*, his Father, brought them into *Pannonia*;) let others enquire.

Alboin prefers Gisulfus his kinsman.

20. *Alboin* having with his Army, and promiscuous multitude, arrived at the Borders, went up into an high Mountain adjacent, to take a prospect of *Italy*. The Hill was from this occasion called *Mons Regis*, on which many Bufiles were bred, it reaching as far as *Pannonia*, which abounded with that sort of Beast. Having without any opposition entered *Venetia*, the first Province of *Italy*, and come to the bounds of the *Foro Julian* City, or Castle rather, he began to consider whom he could trust with these Territories, and at last conferred the charge on *Gisulfus*, his Nephew, a man very fit for such an Employment, who served him now as his *Strator*, or Master of his Horse, in the Language of the *Lombards* called *Mar-hais*. Yet he refused to accept of the charge, till he granted him such *Faras*, Generations or Families of the *Lombards*, as he should chuse, which being done, he became the Captain of them; and obtained also a number of Mares of an excellent breed. This Year fell in Winter such a vast quantity of Snow in the Plain, as was wont to fall on the *Alpes* themselves; and the following Summer afforded such plenty of all things, as no Age could parallel, if we believe our Historian. In the same Year died *Narfes* the Eunuch, as some write, though concerning the place, manner and time of his Death, there are different Relations. The Latin Writers say, he returned

In laud. Justin.

Armerius inter res domini vestigia lastrant. Eunices excludit super omnia veritate Narfes Agmina cæ Angulorum, &c.

Gisulfus, Comes adjutor.

Mar-hais Strator, qui imperat Equis ita meliores Co-dices, pro Mar-palio. Faras, This generatio, familiæ, à verbo Farren, quæ est progenies; post Christianum dicta sic Paracis, unde Far-ber, nos estiamus a Scataram Man.

ned from *Naples* to *Rome*, and repenting what he had done about the *Lombards*, died there, and that his body being put into a Coffin of Lead, was, together with all his Wealth, carried to *Constantinople*. But the Greek Authours will not allow him to have staid at *Naples*, but to have returned to *Constantinople*, and there to have raised magnificent Buildings. *Cedrenus* writes, that being most dear to the Emperor, he built an House called by his own Name, besides a Mansion for the *Cathari*. The *Historia Miscella* relates, that in his House he caused to be made a great Cistern, and having therein deposited many thousand Centenaries of Gold and Silver, killed all that knew of it, one old Man excepted, to whom he recommended the Treasure, receiving from him an Oath of Secrecy. If so, he must have lived several years after the Invasion of *Italy*.

21. And that we give credit rather to the Greek than the Latin Writers, in this point, the Testimony of *Corippus*, lately mentioned, doth persuade us. Besides, *Anastasius* writes how *Narjes* died at the same time as died *John the Roman Bishop*. *Vide Baronius ad Ann. 554. num. 10.* *John* is mention made of the Consulship of *Narjes*, which he bore with *Justin*, being now Consul the sixth time, whereas in this Year, wherein they will have him to have died, *Justin* was Consul only the second time. Then who can once imagine, that the Body of so grand a Malefactor, as the Betrayer of *Italy*, should be carried to *Constantinople*, and have honourable Burial, which ought rather to have been hung on a Gibbet, or cast to Dogs, or in some other ignominious sort to have been treated? The Latin Writers seem therefore to have been but ill instructed in this particular, and neither had the Greek Authours full intelligence, as to circumstances, when they speak of his great Piety and Charity, and yet mention another thing wherein he cannot be excused from excessive Covetousness and Cruelty. This is his hiding the Treasure where it could do no good, and killing those that were privy to the hiding. *Procopius*, *Agathias*, *Euagrius*, and others, give him large Commendations, and had such a thing been committed after the Glory obtained by his former Actions, *Euagrius* would probably have mentioned it, or at least not so largely commended him. But whereas this Authour brings down his Narrations as low as *Mauritius* the Emperor, and yet makes no mention of *Narjes* his death; some suspect he was still alive when he wrote his History.

Whether one or two of the name of *Narjes*.

22. And that which much strengthens this suspicion, is, that there was one *Narjes* in the time of *Mauritius*, a Patritian, in Dignity, and renowned for his Counsels and Actions, relating as well to Peace as War, General of the Army also, and very remarkable for his Piety. If it was one and the same Person, he must have lived thirty years longer, which if any count improbable, let them consider whether this doth not carry a greater shew of Improbability, that almost at the same time there should be two of the same Name, Order, Dignity and Piety, and both of them renowned for their Victories, both Generals of the Imperial Armies, and yet no remark hereupon made by any Historian, no distinction at all, either by *Major* and *Minor*, *Senior* and *Junior*, or the *First* and *Last*. This *Narjes* that lived in the time of *Mauritius*, who overthrew *Barames*, that usurped the Kingdom of *Persia*, and restored *Chosroes* the younger, lost his Life under the Tyrant *Phocas*, as we may see hereafter. Let us leave *Narjes* therefore, either in his Grave, or elsewhere, and attend the Motions of *Alboin* into *Italy*, who being come as far as the River *Alpis*, was met by *Felix*, the Bishop of *Tarnisum*, to whom he granted, as he was most boundtiful, all that belonged to his Church, and confirmed by his *Pragmaticum* what he desired. He took *Vincentia*, *Verona*, and the rest of the Cities of *Venetia*, *Padua*, *Mantua* and *Montefice* only excepted. Here *Paul* tells you, that by *Venetia* he means not only those few Islands, then called in the plural number *Venetia*, at this day *Venice*, but that Country which reached as far as from the Borders of *Pannonia* to the River *Adna*. He proves this to be *Venetia*, from ancient Historians, who affirm *Pergamus* to be a City of *Venetia*. The Lake *Benacus* is also called *Lacus Venetiarum*, out of which issueth the River *Mintius*. In Greek he saith, *Eneti*, to which the Latines add one Letter, signifieth *Laudable*. To *Venetia* was also joyned *Hystria*, (so named from the River *Hister*), which he affirmeth from the *Roman* History, to have been in old time larger than it was in his days,) and both these were accounted for one Province. Of *Venetia Aquileia* was anciently the Head, but in *Paul* his time *Forum-Julii* was advanced to that Honour, being so called, because *Julius Cæsar* there appointed a Mart, or *Forum Negotiationis*, as our Authour words it.

Alboin takes several Towns in Venetia.

23. *Alboin*

23. *Alboin* having invaded *Liguria*, entred *Milan*, at the beginning of the third Indiction, on the third of the Nones of *September*, in the time of *Honoratus* the Archbishop. Then took he all the Midland Cities, but those upon the Sea stood out, and *Ticinum*, or *Pavia*, resisted his violence three years. In the mean time he over-runs all as far as *Tuscia*, *Rome* and *Ravenna* excepted, besides certain Castles, seated on the Sea shore. There was not any courage or strength now left in the *Romans*, to make any effectual resistance, multitudes having perished by the Plague in the time of *Narjes*, and after that Year of Plenty a grievous Famine having invaded and oppressed all *Italy*. At length *Pavia*, after it had stood out three Years, and some Months, yielded to *Alboin* and his *Lombards*. The King making his entry at *St. John's* Gate, at the Eastern part of the City, his Horse fell under him in the middle of the Gate, and by spurring and beating could not be raised, which being taken notice of by one of his Followers, he advised him to break that cruel Vow he had made, and then he should enter the City, which was inhabited by a truly Christian People. He had vowed to put all the People to death, because of their stubbornness in holding out so long, but now breaking his Vow, and promising Indempnity to the Inhabitants, his Horse presently arose, and then passing on to his Lodging, he kept his word, the People flocking to him in the Palace built by *Kind Theoderick*. In *Italy* *Alboin* reigned three Years and five Months, and then was slain by the Treachery of his Wife upon this occasion. Being very merry, as he was feasting at *Verona*, he commanded Wine to be given her in the Cup made of the Skull of *Cunimund*, her Father, as with whom he commanded her to drink merrily. That this may not seem impossible, *Paul* religiously professeth, that he himself had seen the very Cup.

24. *Rosemunda* at this was wonderfully incensed, and presently consulted how to revenge her Father's Death, with *Helmicbis*, the King's Armour-bearer, or *Schilt-por*, as the *Lombards* called him. He persuaded her to take into her Council *Peredeo*, a most valiant Man, who refusing utterly to consent to the Murder of his Prince, she knowing he was wont to lie with one that belonged to her Wardrobe, placed her self in her Bed, received and lay with him, when he not at all suspected such a matter. But the Queen demanding of him, before he arose, if he knew her Name, he affirmed she was his Sweet-heart; she told him he was mistaken, that she was *Rosemunda* her self, and that he had now done such a deed, that he must either kill *Alboin*, or expect to be killed by him. He consented then to join in the Murder, to facilitate which, as the King lay asleep on his Bed at noon, his Wife bound his Sword so fast in his Scabbard, that it could not be drawn. Then was *Peredeo* brought in, and *Alboin* awakened by the noise, after he had in vain attempted to draw his Sword, which lay at his Beds-head, defended himself valiantly with a Footstool for some time, but was at length overpowered and slain by the wicked device of a Woman, whom many Armies had not been able to destroy. His Body, with great Lamentations of the *Lombards*, was buried under a certain pair of Stairs near to the Palace. He was tall of Stature and every way fitted for Warlike Actions. In our days, faith *Paul*, *Giselbert*, Duke of *Verona*, opened his Grave, and taking away his Sword, and all his other Ornaments, after his usual Vanity, boasted to silly People, that he had seen *Alboin*.

25. *Alboin* being dead, *Helmicbis* attempted to make himself King, but the *Lombards* opposed it to such a degree, that they endeavoured to call him to account for the death of the deceased. *Rosemunda* perceiving no good was to be done, sent to *Longinus*, the Governour, or Exarch, of *Ravenna*, desiring him with all speed to dispatch away a Ship to fetch them, which he readily did, and they two being now Husband and Wife, fled away by night, taking along with them *Albainda*, the King's Daughter, and all the Treasure of the *Lombards*. *Longinus* having got them to *Ravenna*, persuaded her to kill *Helmicbis*, and take himself to her Husband, which she, without any great hesitation, consented to do, out of a desire of being Lady of that City, and gave a Cup of Poison to him when he came out of the Bath. Having drunk it almost off, he perceived what it was, and then drawing his Sword, compelled her to pledge him with the rest, which having done, by the most just Judgment of God, both these Murderers received the Reward of their Vilany at the same moment. They being dead, *Longinus* sent *Albainda*, with the Treasure, to *Constantinople*, whither some say *Peredeo* was also sent, having accompanied *Helmicbis* and *Rosemunda* to *Ravenna*. But the *Lombards*, into the place of *Alboin*, elected one *Cleph*, a Man of great Nobility, who having slain many of the chiefest *Romans*, and banished others, was, after he had reigned a Year and six Months, with *Mossana*, his Wife, killed by a Boy of his own Family.

She flies to Longinus, the Roman Exarch.

Her desired End.

Cleph chosen King in the room of *Alboin*.

Helmicbis, galeo ferru. Schilt-ferer Scutiger, Schilt, no- bis hoste thield. Peredeo, Latè patensis legu. est & in voc. Alem.

Cleph, idem ac Clepsi. Mossana, Albo congruens. Mossè per Mossa idem. Dialecto disse- vone, ut Waller, Wauer, & mille alia.

26. After

The Country
shared.

Justin the Em-
perour taken
with a Vertigo.

Thereupon the
People op-
pressed.

A Reformation.

The Avars de-
feated.

Defeat the Ro-
mans.

26. After his Death *Paulus Diaconus* tells us, that the *Lombards* for ten years were without a King, and were only governed by their Leaders, of whom every one enjoyed his own City. In particular, *Zaban* made himself Master of *Pavia*; *Wailari* of *Bergamum*, *Alachis* of *Brixia*, *Euin* of *Trent*, and *Gisulfus* of *Forum-Julii*, besides thirty others, whereof each held his peculiar Town. Having thus seated themselves at their Pleasure, they destroyed the *Roman* Nobility, or those that remained they made Tributaries, exacting a third part of their Revenues. They pulled down Churches, killed the Priests, demolished the Cities, and destroyed the People all over, those parts which *Alboin* had taken excepted, and in seven years time in a manner subdued all *Italy*. Yet did they not take the City of *Rome*, though they entered the Suburbs, and demolished several Monuments of the Martyrs, carrying away their Relicks; and they raised a great Persecution against Pious and Religious Persons. But thus was the *Roman* Empire rent in the Well, and those Limbs again torn from it's Body, after the former Wounds seemed to be quite healed up. And in the East, it was in little better Condition, where the Head being crazy and out of Order, the inferior Members could be less secure, and in a Capacity to defend themselves. For *Justin* the Emperour was taken with a *Vertigo*, and such a distemper in his Brain that he could not stir abroad, nor receive any Addresse; which advantage some of the Great ones taking, fell with violence upon the ordinary sort, and spoiled them of all they had. As soon as he recovered and went to Church, the distressed People followed him with Cries and Lamentations. Hereupon he summoned such as had been Criminals before him, and admonished them to forbear such Practices, but they were so far from making Reparation for what they had already done, that they oppressed the poor People worse than formerly. Then called he the Senate together, and more sharply reprehended them, telling them, it only became the Nature of Fishes, for the greater and stronger to devour those of a lesser size; if he were their Lawfull Emperour, he Commanded them to yield obedience to his Orders, and if they refused, bade them chuse themselves a new Prince wherefoever they pleased.

27. At this one Nobleman amongst the rest stands up, desires him but to make him Prefect of the City, and all should speedily be amended, provided he would Command him to deal impartially, and give him free Access upon all occasions. This is readily granted, and the next day he sits in Judgment. A certain Widow comes and complains that a Great man had spoiled her of all she had. He sends him a Summons to appear by the Woman; but he sends her only back well beaten, and deals little better by an Officer, dispatched afterward on the same Errand. While the Prefect sits expecting his coming, the Man is invited to Dinner by the Emperour, which the Prefect hearing, goes also to Court and demands of *Justin*, whether he did continue of the same mind and resolution, as when he first made him Prefect of the City; seeing he entertained at his Table guilty Persons. The Emperour answers, he would sooner quit his Throne than be guilty of such a Crime, and thereupon the Prefect takes away his Guest, and carries him into the Court called *Arcus*, where hearing the whole matter betwixt him and the Widow, and perceiving how greatly he had injured her, he caused him to be beaten, and then having his Head shaven, to be set naked upon an Ass and so carried through the midst of the City, having decreed his whole Estate unto the Woman. This Example so wrought upon all others, that a thorough Reformation was made, and within thirty days no more Complaints were heard of this Nature, which the Prefect making known to the Emperour, he rewarded him with the Dignity of a Patritian, and the Government of the City during Life. This year which was the third of *Justin*, was not only signalized with this notable piece of Justice, but with as eminent Acts of Charity performed by *Sophia* the Empress. For summoning in such as were in Debt, she paid her self the Money to the Creditours, and restored all Pledges to their former owners.

28. As a reward for these good Deeds, the following Year *Justin* had a great Victory over the *Avars*, who were defeated by *Tiberius*, (the Comes *Excubitorum* at present, but afterward Emperour) and forced submissively to beg Peace. But as he was not constant to the ways of Mercy and Goodness, so his Prosperity forsook him again, and as the Proverb is, an Enemy though he flies, may again rally and renew the Charge. For five years after in the ninth of his Reign, when all *Italy* in a manner was lost to the *Lombards*, these *Avars*, or *Abars*, as the same Author tells us, came as far as the *Danube*, and to be even with them defeated the *Romans*. It seems that *Tiberius* was again dispatched against them, but his men would not now as much as look the Barbarians in the Face, and he wonderfully

Zab-an, Lorica
Zab-anus, Glis.
Zaba Lorica
Jostitur & Za-
ne in Legibus
Al-gis, omnino
Jostis.
Evin alter Eui
equis.

Cedrenus.

Cedrenus.

Victor Tannensis
in Chron. Carpi-
nus in Carm.
'o 12. de h. g. b.
709 & 710 p. 4.
Zab-anus.

Enagrus, lib. 5.
c. 11.

The Perse-
nians revolt.

Martianus his
Exploits.

Acacius sent to
Caltheir him.

wonderfully escaped being taken Prisoner, having by following the rash and heady Advice of *Justin*, endangered the whole Commonwealth of *Rome*, at least it's greatest Honour and Reputation. But besides this defeat received from the *Avars*, the *Perfians* the old Enemies of the Empire recollected themselves, and were up again upon a Quarrel, which at first proceeded from Religion. The People inhabiting *Perfarmania* or *Armenia* the Great (which *Philip* the Successour of *Gordianus* had delivered up to *Sapor*) being Christians were grievously persecuted for their Religion and Conscience by the *Perfians*. This caused them to send to *Justin* the Emperour privately, desiring they might turn Subjects to the Empire, and serve God without any let or hindrance. He accepted of their Petition, and Articles being sworn betwixt them, they (contrary fure to Religion and Conscience) slew their own Princes, and put themselves into the hands of *Justin*, which Example was followed by their Neighbours, who with *Vardan* their Captain professed their Service and obedience to the *Roman* Empire.

29. *Chosroes* presently received the Alarm, and Charged the Emperour with these Clandestine and injurious Proceedings. *Justin* answered positively, that the Date of the League was expired, and that it became not the Professours of Christianity to reject such as suffered for their Conscience, and fled to them in the time of War: Yet made he no Preparation for what he must needs conclude would follow, wallowing in his wonted Sensualities and Delights. He sent indeed *Martianus* his Captain into the East, but without Souldiers, Arms, or any provisions for War; and he came into *Mesopotamia* not without manifest danger to the State, picking up only a few naked Fellows, of which number some were Tributary Pioneers, and Waggondrivers. An inconsiderable party of *Perfians* yet he chanced to defeat before the rest could be in readines, and besieged *Nisibis*, the Gates of which the Inhabitants would not shut, reviling the stout *Roman* Army, and esteeming of them no otherwise, than as if they had been set there to keep sheep. But by this time *Chosroes* was furnished for a Battel, and bringing his General *Aduarmanes*, as *Enagrus* calls him, or *Artabanus*, as we read he in *Cedrenus*, on his way as far as the other side of *Euphrates*, which was within his own Dominions; sent him into the Marches of the *Roman* Empire, and Commanded him to seize on the Town of *Circesum*, which situate in the farthest parts of the *Roman* Dominions was fortified with strong Walls, and more than that with the two Rivers *Euphrates*, and *Aboras* standing as it were in an Island. He himself with another Army passed over *Tigris*, and made straight for *Nisibis*; while *Justin* pleased himself with idle Reports, that *Chosroes* was either already dead, or mortally sick, and was so incensed against *Martianus* for prolonging the siege, that he sent to reproach him, and to require him with all speed, to bring the Keys of the City to his Presence.

30. Becoming exceedingly Ridiculous to all men, for these extravagant Conceits: *Gregory* Bishop of *Antioch* wrote the whole State of Affairs to him, both how impossible it was with such an handful of inconsiderable Men to take such a City, and that *Chosroes* had with all expedition invaded those Countries. But he, drownd in the filth of his wonted Luxury, gave no heed to *Gregory's* Letters, thinking that only to be true, which his own quick Brain had conceived, and like other intemperate and Riotous Persons, unwilling to believe any thing that would disturb them in their Pleasures. He wrote back to the Bishop and rejected his Letters for false Reports: If they were true, he affirmed the *Perfians* should not win the City, and raise the siege before his Power came, and in case they should win it, they should yet be met with e'er they left the Countrey. Afterward he sent one *Acacius*, a proud and disdainfull Man to *Martianus* who meeting him on the Confinnes according to his Commission, deprived him of all Martial Dignity unknown to the Army. The Officers after the watch was over, understanding that their Captain was Caltheired, cast away their Arms, stole into Corners, and quitted the Siege to the great Laughter of all Men. *Aduarmanes* in the mean time passing by *Circesum* with a great Army of *Perfians*, and Barbarians called *Scenitars*, wasted all the *Roman* Territories with Fire and Sword, without any Mercy or Compassion. Castles and Towers he took without any opposition, both because the *Romans* had none to Head them, and *Chosroes* had as it were besieged all such Souldiers as lay about *Daras*. His men also set upon *Antioch*, but beyond all Expectation were repulsed, when very few remained in the City. For the Bishop flying away with the Holy Treasure, the City was in a manner left desolate, the greater part of the Wall lying flat with the Ground, and the People as in such Cases falling into Disorder and Tumult; so that there was none that either devised Engines to repel the Enemy, or was much disposed to resist him any other way.

Enagrus, lib. 5.
c. 7, 8, 9. &c.

31. However

where making some stay, it happened, that *Mauricius* the Son of *Paul*, who by *Tiberius Constantin* the Emperour was set over the Armies of the East, made sudden irruption into the Countrey of *Araxes*, which joyned to the Territories where he lay, and proceeded so far, that he passed the River *Zirina*, plundering and wasting all places with Fire and Sword. He went on in this terrible manner, so far till *Chofroes* himself saw the Flame, who never having beheld such a Spectacle, was with fear and shame together confounded, so as he could make neither opposition nor defence, but by immoderate Grief, falling into Desperation from the Anguish of his Mind, contracted a grievous and incurable Disease, and being in a Litter speedily conveyed to his Palaces of *Selucia* and *Ctesiphon*; not long after this Recesse, or flight rather, ended his days: Concerning the false Report raised of his great Learning, the Reader if he please may consult this Authour, who shews the Ground and occasion of the mistake in a Digression not proper for us to insert. But we must observe, that either *Agathius* or his Transcriber was mistaken, in joyning the fifth year of *Chofroes*, with the twenty eighth of *Justinian*, as if he had begun his Reign in the twenty third of that Emperour, seeing that he Reigned eight and forty years. For if *Cabades* died, and *Chofroes* made a League with *Justinian* in this fifth year; then could he not begin his Reign in the five and twentieth; and so far as it is plain that he died in the Reign of *Tiberius*, had he begun to Reign in the twenty third of *Justinian*, and Reigned eight and forty years, he must have reached the Government of *Mauricius*, which things cannot hold together; we conclude therefore with *Baronius*, that he began his Reign in the fifth year of *Justinian*, and ended it in the second of *Tiberius*, though not just after the defeat given him by *Justinian*, but after *Mauricius* was sent into the Eastern parts (for as we said, the expedition of *Justinian* was made before the end of the Triennial Truce, and must be cast back two or three years) in the fourteenth year of *Justin*, A.D. 579.

36. The year following being the third of *Tiberius*, about Noon happened such an Earthquake at *Antioch*, and *Daphne* adjoining to it, that all *Daphne* with the Force thereof fell to the Ground, and many both publick and private Buildings within the City were much shaken and dis-joynted. There happened also both at *Antioch* and *Constantinople*, as *Eutagrius* relates, other Calamities which require a long Discourse, and caused great Tumults and Sedition; but arising, as he saith, from Godly Zeal, and being of Ecclesiastical concernment, we shall with him defer their Prosecution at this time, and return into *Italy* to see how the *Lombards* there behave themselves. And here we could complain of the Injury of time which hath deprived us of the Monuments of their Actions, having little left us, but what *Paul* has written of this Subject, who not handling it with that Accurateness as *Procopius* doth that of the *Goths*, hath passed by many things of great Concernment; for he was not an Eye witness, but lived two hundred years after in the days of *Charles* the Great. But from the History of *Gregory* the Bishop of *Tours*, he tells us, that after the Captains had canonized the Countrey, some of them invaded *Gall*, which wasting and rifling, they defeated and slew *Amatus* the Patritian, the Subject of *Gunttramnus* King of the *Franks*, who opposed them with an Army, and having made great Slaughter of the *Burgundians*, returned into *Italy* enriched with inestimable Booty. This encouraged them to make a second Attempt, and they pierced as far as *Muscia Calmes*, near to the City *Ebrodunum*; but there they were met with and incompassed by *Emnius*, called also *Mummulus*, who with a party of *Burgundians* fell upon them, and killing many took the rest Prisoners, whom by his Kings order he distributed there and there all, except some few that escaped into *Italy* with the News.

37. The *Lombards*, as we said before, besides other sorts of People, brought some *Saxons* with them into *Italy*; it being accorded betwixt them, that the *Saxons* should have lands assigned after the Conquest. But they could not well agree together; it seems the *Saxons* would not trundle under the *Lombards*, and the *Lombards* would not permit, that they should be a Body Independent of, and distinct from themselves; therefore they resolved to return to their own Countrey, by the way of *Gall*. In their first Attempt, they were sore distressed by *Mummulus*, who killing a great number of them, and taking many Prisoners forced them back into *Italy*. Yet for all this, they returned with their Wives and Children, and all they had, purposing by the leave and assistance of King *Sigibert* to return home, and for this purpose they divided themselves into two Parties; whereof one took the way of *Nicea*, and the other passed on by *Ebrodunum* the very same way they had retreated. They maintained themselves by Corn that was now Ripe in the Fields, some Cattel also they took, and did not altogether abstain from rifling and burning

The manner of his Death.

How matters went in Italy.

Eutagrius lib. 5. c. 17.

Gregor. Turon. lib. 4. c. 36. Paulus Diaconus de gest. Long. lib. 5.

The Saxons return home.

Defeated by the Suani.

The Lombards make a Fruitless expedition into Gall.

the Towns. When they were come to the *Rhone*, *Mummulus* again meets them with a great Force, but permits them with Money to purchase their passage, and so at length they came to *Sigibert*; cheating the People in their way by Counterfeit Gold, and returned to their former Seats, which they now found seized by the *Suani*, and other sorts of People. In great Indignation they fall upon them, and will drive those Intruders out. They offered them first the third part of the Countrey; affirming there was room enough for them all, and after, when this would not be accepted, the half, nay two parts of three. Nay rather than Quarrel, they would give them both their Lands and all their Cattel; but the *Saxons* would not be satisfied with any thing but fighting, and they agreed before hand, how the Wives of the *Suani* should be distributed. But see how they reckoned without their Host. They lost twenty thousand Men in one Battle, and the *Suani*, remained Victors, missing but four hundred and eighty of their number. Six thousand of those *Saxons* that remained, bound themselves by a vow never to cut their Hair nor Beards, till they should be revenged upon the *Suani*: But all would not do; they were again defeated, and at last content to fit down and be quiet.

38. But to return to the *Lombards*, three of their Captains, *Amo*, *Zaban* and *Rhodanus* following the example of the *Saxons*, made also an Irruption into *Gall*. *Amo* taking the Road of *Ebrodunum*, came as far as *Machovilla*, a Town bestowed upon *Mummulus* by his Prince, and there pitched his Camp. *Zaban* by another way came to *Valentia*, and *Rhodanus* set upon *Gratianopolis*, or *Grenoble*. *Amo* wasted the Province of *Arles*, as far as the City of *Marseilles*; and his two other Friends were not less busie in plundering, wasting and burning all places wherever they came. *Mummulus* having Intelligence of their motions, first fell upon *Rhodanus* busie in the Siege of *Gratianopolis*, and killing many of his Men, drove him up into the tops of the Mountains wounded, as he was, with a Lance. Thence with five hundred men through unknown Tracts he passed to *Zaban*, who then besieged the City *Valentia*, and gave him an Account of all that had happened. They joyned their Forces together and wasted the Countrey as far as *Ebrodunum*, where *Mummulus* met with them, and by a notable defeat restrained their farther Rapines. Then did *Zaban* and *Rhodanus* return into *Italy*, and came to *Secusium*; which City *Sifinius* the *Magister Militum* held for the Emperour. Hither *Mummulus* sent a Youth with Letters, signifying he would be with him speedily, which *Zaban* and *Rhodanus* understanding departed without any more to do, to their own Cities. *Amo* informed of what had happened with all his Booty, took the way again for *Italy*, but being stopped by the great Snows that fell, was forced to leave a great part of it behind, and passing the *Alpes* with much difficulty at last got home.

39. To be even with the *Lombards*, not long after, the *Franks* invaded their Borders, and took by surrender a Fort called *Anagnis* something above *Trent*, which being looked on as a great affront by *Ragilo*, or rather *Raligo* a Comes of the *Lombards*, he wasted all the Territories about it, and in his return with his Booty, was encountered by *Charamachis* a Captain of the *Franks*, who slew him with many of his followers, and passing to *Trent*, rifled and wasted all places about it. On his back came *Ewin* the Captain, or Duke, if so you will call him, of *Trent*, and in the place called *Salurnis* in way of Retaliation, cut him off with all his Men, and recovered the Booty; which done, and having expelled the *Franks* from all his Territories; he married afterward the Daughter of *Garibaldus*, King of the *Baioarii*. About this time, that we may now return and visit the Eastern parts, died *Justin* the Emperour, after he had Reigned sixteen years nine Months and an half. Being near his end, he called *Tiberius* his Colleague to him, and in the Presence of the Senate, and *Eutychius* the Patriarch gave him this Advice that follows.

His Advice to Tiberius.

40. "Behold, saith he, God Almighty thy Benefactor bestowed this Habit on thee, and not I. Honour also thy Mother (meaning *Sophia* the Empress) formerly thy Lady, for thou knowest thou was first her Servant, and then her Son. Rejoyce not in Bloud, have nothing to do with Murderer, neither render Evil for Evil, lest thou imitate me in the Evil of Malice. For I being a Man, have offended and am a guilty Person, and have received according to my deserts; but stand in Judgment with those, who have fo rewarded me at the Tribunal Seat of Christ. Let not the Habit thou wear'st puff thee up. Have as great a Care of all committed to thy Charge, as of thine own Concernments. Consider what thou wast, and what thou art like to be. Avoid pride, and thou shalt not sin. Thou knowest well what I have been, and what I am. All these are thy

Cedrenus & Hist. Miscell.

"Children, as well as Servants. Thou knowest I have conferred this Honour upon thee, out of Respect to those, that are as near and dear to me as my Bowels. When thou seest them, conceive that thou beholdest the very Commonwealth. Take a special Care of the Army: Admit into it neither effeminate nor imprudent Men; neither ever regard those that say, the Emperours that Reigned before thee, were such and such. These things I give thee in Charge, and having dearly experienced the Truth and Conveniency of them, advise thee to act accordingly. Such as are Rich let them enjoy their Wealth, and such as are poor Receive. Then the Patriarch going to Prayers, all the Company concluded with Amen; and Caesar falling at the Emperour's Feet said unto him. "I am at your Disposal, both Life and all I have: To which the Emperour replied; *That God who made Heaven and Earth, put into thy Heart, what I have forgotten, and proceeding in Words to this purpose, he drew abundance of Tears from all the Assembly. Not long after, his Disease returned upon him with violence, and he died. His Body was deposited in the *Heræum* of Justinian, in a Proconnesian Coffin, and by him was afterwards laid his Wife Sophia. Paulus Diaconus gives us his Character in short thus: He was addicted to all sort of Covetousness, a despiser of the Poor, and a spoiler of the Senators; so greedy of Wealth, that he caused Iron Chests to be made, wherein to bestow the Coin he had ravenously scraped together. This man despising the command of God was deprived of Reason, and fell mad. Yet if he made such sober and pious Discourses, both at the Promotion of Tiberius, and at the time of his Death; what general Character soever is given him by these Writers, we must think he had his *Lucida Intervals*, not only as to his Intellectuals, but his Morals too.*

Tiberius escapes a Danger.

Secures Sophia the Empress.

41. Tiberius now after his Death was, according to the Custom, to go in State to the Shews of the *Circus*, and there many expected his coming, who were of the Faction of Justinian, the supposed Nephew of Justinus, with intention to do him a mischief. But he went from Church to Church, and passed still through Sacred places, where having performed his Devotions, he sent for the Bishop of the City with the Consuls and Prefects, and so entered the Palace. Then being clothed with the Purple, Crowned with a Diadem, and Seated on the imperial Throne, he was confirmed in the Government with great applause. The Factionists then, who expected his coming to the *Circus*, hearing what was already done, stole away, and after a few days Justinian himself came and cast himself at the Emperour's Feet, bringing with him as a Present fifteen Centenaries, and he, according to his wonted patience, received and commanded him to attend him in the Palace. Thus he escaped this danger in the *Circus*, but not long after, was intangled in greater Difficulties created him by Sophia the Widow Empress, who forgetting her Inagagements formerly made to him, attempted to promote Justinian to the Throne, while he according to the Custom of the Emperours, was to pass thirty days in the Country, at the time of Vintage. He having timely notice, returned with all speed to Constantinople, took her and all her Treasures Custody, leaving her only so much, as would supply her wants. He removed her Attendants, and placed others about her, whom he could trust; Charging them that the other should never come in her Presence. He sorely rebuked Justinian, and that was all, for he shewed he had great kindness for him, promising to marry his own Daughter to his Son, and that his Son should marry Justinian's Daughter; although these crofs Matches never took Effect.

42. Why Sophia the Empress should be thus changed in her Esteem and kindness for Tiberius, other Historians supply us with some Womanish reasons. She took it heinously, that at his Coronation he named Empress his Wife Anastasia, whereas he imagined he had no Wife at all, but intended to marry him after her Husband's death, and for that purpose procured him to succeed him. Thus frustrated of her Expectations in a great Huff and disdain, she quitted the Court, and went to live by her self in the Palace called by her Name. The Latin Writers tell us a story how Tiberius for his Piety, and especially his Charity to the poor, had the Treasure of *Narfes* discovered to him by the old Man, that was Confiscous to the hiding of it; but it's much suspected, because the Greek Historians speak nothing of any such Matter. However, such was his Reputation abroad, that Ambassadors were sent to Court from several Princes, and amongst others, from *Chilperick* the King of the *Franks*, to whom Tiberius sent several Presents, amongst which were remarkable, some Medals weighing pounds a piece, having the Emperour's Image with this Inscription about it; *Tiberii Constantini, Perpetui Augusti*, and on the reverse a Chariot with four Horses, and a Driver with these Words,

Gloria

De gest. Longobard. lib. 3. 11.

Gregor. Turon. lib. 5. c. 30. *of Paulus Diacon. de gest. Longob. l. 3. c. 12. Vocato ad se urbis Papa cum Cassio et Prolesio.*

Zonaras & Codrinus.

Mauritius made General.

Gloria Romanorum. As for Justinian it's certain, he was put out of Command (*Em- Lib. 5. c. 19.* *grius* faith, because he had not such Success, as formerly against the Barbarians, but we know the Throne brooks no Rival) and *Mauricius* was made General of the East, who by Birth and Name was of old *Rome*, but because of his Ancestours and Parents, he owned *Archieffus* a City of *Cappadocia* for his Country.

His Character.

43. *Mauricius* was, as *Euagrius* sets him forth, a very wise Man, very diligent and exact in business, of a firm and constant mind, and of a very good Life and Conversation. He so bridled his fleshly Lusts, that he not only abstained from such things as provoked to Lust and Sensuality, but even from necessities themselves. He would not lend any Ear to stories, nor hearken to every Man's tale. He stopped his Ears not with Wax (as the Poet hath it) but with reason, which he used as a Key to open and shut them as there was occasion. Ignorance the Mother of boldness, he banished far from him, knowing that in rashness there is Peril, and in Advise and Deliberation great Security. Fortitude and Prudence bore in him such sway, that all businesses he accommodated to time and place, and so restrained his Appetite, that in all things he never exceeded Moderation; such being his Disposition, with great success he made War in foreign Countries. He took both Cities and Castles, such as stood most convenient for the *Persians*, and so great Booty, that with Captives he filled Isles, Towns and Countries that had lain a long time desolate and not inhabited, causing the Land to be tilled and brought into order. Of these men he had numbers sufficient to make up Armies, which fought stoutly against other Nations, and furnished all Families with Slaves. He waged War with the chieftest of the *Persians*, as *Tamochroes* and *Aduarmanes* who brought great Armies into the Field; but after what manner, and how prosperously, faith our Authour, let others relate, or we in another work perhaps may shew, because in this present Volume we promised to treat of other matters. But neither he nor any other performed this part of service to Posterity, or if they did, some unlucky accident hath deprived us of the fruits of their Endeavours.

His success against the Persians.

44. Therefore what we our selves have not, we cannot give, and the Reader must be satisfied, though we do not relate all actions with the same clearness and enumeration of Particulars. For as where we have matter, we ought as fully to inform him as the nature of this Design will bear, so on the other side, we do not pretend to write Romances; But thus much *Euagrius* tells us, he will now say, that *Tamochroes* was defeated not through the valour of the *Roman* Soldiers, but by the only Piety of their Captain and his Faith in God, and as also that *Aduarmanes* was overthrown by plain force of Arms, and after a great slaughter of his men put to flight, and that this was done not only when *Alamundarus* Captain of the *Scenitæ* had betrayed *Mauricius*, by not coming over *Euphrates*, and fighting against those *Scenitæ* that were of the contrary Faction, but also when *Theodorich* who commanded the *Scythians* durst not venture within Bow-shot, but fairly took him to his heels, and with his men ran away. What *Euagrius* here relates in short, some assign to the third year of *Tiberius* precisely, yet doubtless it took up several years in acting.

Tiberius Dies.

Mauricius succeeds.

45. The next year was the last of *Tiberius* the Emperour, who died in *August*, after he had Reigned four years alone, and as much with *Justin*, a month only excepted. An excellent Person, and worthy of a longer Reign, the Empire flourishing under his Government. *Gregory of Tours* assures us, he left the People in Tears and Lamentations because of his Departure, for he was mighty good, very Charitable, just and wary in Judgment, despising no man, but bearing every one good will, being loving to, and extremely beloved by all men. To his Title and Dignity of Emperour succeeded *Mauricius*, who had three years before been created *Cæsar* very solemnly, and adorned with a Diadem. At the solemnity, as *Nicephorus* writes, was present *John* the Patriarch, and another *John*, a Rhetor or Orator, made a short speech to *Mauricius* in the Emperour's name. "He exhorted him from his Government, to raise a beautiful Monument to his Predecessour, to adorn his Sepulchre with his Vertues, and not frustrate the expectations of those who were committed to his Trust, neither to forget his own Morals, nor quit the wonted generosity of his Spirit. See thou restrain, faith he, by force of reason that Insolency to which power is subject, and by the Arts of Philosophy wisely steer the Vessel of thine Authority. For Empire is an high and lofty thing, puffing up such as are exalted, and obliterating what was formerly well conceived and intended. Because thou art in Fortune, do not therefore think thou art in Wisdom advanced above all others. Endeavour to procure the love of thy Subjects, rather than to keep them in fear and awe, and esteem downright dealing better

Hisself Hist.

Hist. Franc. l. 6. c. 30.

L. 18. c. 6. Vide Barro.

"better than flattery and dissimulation; for Power will hardly admit of Admonition and Reproof. Let Justice be ever before thine Eyes, as that which is able to reward all our Actions."

46. "Let the study of Philosophy move thee to account of this Purple, no otherwife than as of the vilest Ragg, and to imagine that the Crown wherewith thy Brows are circled, differs nothing from the Pebbles that lie on the Sea-shore. The sad colour of the Purple seems to hint unto Princes, that moderation of mind which they ought carefully to retain in their prosperous Estate, that they be not too much exalted or be proud in these Mourning weeds of Monarchy; for the Sceptre tells them not, that they exercise any immoderate power, but rather dergo a splendid servitude. Refrain thine Anger by humanity and mercy, and all arrogance by fear. For Nature to Bees hath assigned their Leaders, and armed their Kings with a sting, as a natural faculty to prick him forward that will not doe his Duty, but this sting is not Tyrannical but Just, and accommodated to the general utility, and the common good; let us imitate them herein, for reason it self cannot suggest to us better Councils. These things speak I to thee as thy Parent, and for a witness of mine Intentions, thou shalt have Authority free from all prejudice and Corruption, which rewards Vertue and punishes and restrains whatsoever is contrary to it. This Oration of the Emperour was followed by the tears of the Spectators, and headorned *Cæsar* with the Crown and purple Robe, and great Acclamations were made, testifying the satisfaction of the People in what was done, and their acknowledgment of the merits of him whom they saw preferred, but especially of the Wisdom and forecast of their Emperour. Thus was *Mauricius* inaugurated *Cæsar*, but enjoyed not the title of Emperour till the Death of *Tiberius*, which fell out in the fourth Indiction, the eighth year of *Childebert* King of the *Franks*, the ninth of *Pelagius* the Second, the *Roman* Bishop, and the five hundred eighty sixth of our Lord, as is commonly computed, but rather in the DLXXXII.

47. *Euagrius* tells us, that when *Tiberius* was ready to yield up the Ghost, he assigned to *Mauricius* his Daughter *Augusta* in Marriage, with the Empire for her Dowry, and Proclaiming him Emperour, bestowed on them also his own Names; for *Mauricius* he called *Tiberius*, and *Augusta* he named *Constantina*. *Mauricius* being settled in his Throne, made great preparations for Celebration of his Marriage, whereto were present his own Father and Mother a circumstance which, if our Authour observe right, never happened to any Emperour before. He affirms that a more Royal and Magnificent shew never had been formerly made; and whereas *Plutarch* wrote, that both Valour and Fortune joyned in advancing the grandeur of *Rome*, he is bold to say, that true Piety and Felicity so concurred in *Mauricius*, that Piety suffered Felicity to be joyned with her, and would not permit her to be baffled or overthrown. The Emperour not onely adorned his Head with the Crown, and his Body with Purple, but his mind also with pretious Ornaments. For in a manner, he was the onely Emperour who ever commanded himself, who banishing from his mind all popular Perturbations (so he words it,) and settling the Dominion of Aristocracy in the Seat of Reason, made himself a perfect Pattern of Vertue for his Subjects to imitate. And our Authour professes he saith not this to flatter him, seeing he could not possibly know what he now wrote, but merely constrained by that evidence which the real effects of his prosperous Government carried with them, being absolutely the blessings of Almighty God. He adds, that this Emperour was above all others mercifull, not permitting those to be put to Death that had well deserved it, as *Alamundarus* Captain of the *Scenitæ* in *Arabia*, who had betrayed him, but was for punishment onely banished into *Sicily*. Moreover *Naamanes* his Son who had done infinite mischief to the Empire, who had wasted the two *Phœnicia's*, and *Palæstine* he kept onely in free custody when all men desired his Head, inflicting on him no other punishment. And the like clemency he shewed to infinite other persons.

48. One *John a Thracian*, he made General of his Forces in the East, who some times did well, but otherwhiles ill, and deserved no great Commendation. Into his place then he chose *Philippicus* who had married his Sister. He made great spoil in the *Persian* Dominions, and killed many of their great men: The Souldiers also he brought to exact Discipline from Riot and Pleasure, making them practise sobriety and temperance. He was succeeded by one *Priscus* a man so supercilious, that none must speak with him except upon some very weighty matter, being conceited that the less familiarity he used, the easier should he compass his Designs, and the Souldiers would more stand in awe, and with more readines obey him.

On

On a time having set himself into as severe and haughty a posture as he could, with high and disdainfull looks, and arrogant gestures, he made them a speech of the patience and perils they were to undergo in War, concerning the neatness of their Armour, and of the Rewards they were to receive for their Travel and Service. They heard his impertinent discourse with great Indignation, fell into a Mutiny, and running to his Tent, robbed him of all his Treasure, and had certainly killed him, had he not speedily taken Horse and fled to *Edeffa*. Yet this City they besieged, commanding *Priscus* to be delivered up to them, and when the Citizens refused to doe it, they laid hold on *Germanus* a Captain in *Phœnicia*, and proclaimed him their General and Emperour besides. He refusing to comply with their seditious humour, they threatened to kill him; when threats would not doe, they proceeded to whip him and to tear his body, which torments forced him to yield, and with an Oath to promise his compliance with them. All other Officers they displaced, and put others in their room, and behaved themselves in their Quarters with all Insolency, and without any regard to the Laws. *Mauricius* having notice of this Mutiny, sent *Philippicus* to reduce them into order, but him they rejected, and threatened with Death and Destruction those who propounded to listen to his advice. The Barbarians took heart at these disorders in the *Roman* Army, and in their wonted manner Invaded the Province adjoining. Yet *Germanus* opposed the *Persians* with such success, that if *Euagrius* be to be credited, there was not one of them left to bring home the news of their Defeat.

The Army Mutinies.

The Persians utterly defeated.

The Abaras in-felt Thracæ.

The Mutiny appeased.

49. But the *Abarian Avars* came twice as far as the long Wall, and waisting the Country before them, took *Singedon*, *Anchialus*, and all *Hellada* with other Cities and Castles, the *Romans* having a great Army lying in the East to no purpose. The Emperour then sent *Andreas* the Captain of his Guards, to persuade them to return to Obedience, and take again such Officers as had commanded them before, but they giving no ear to what he said, at length he pitched upon *Gregory* the Bishop of *Antioch*, the fittest man alive to be employed in this business. For he was both a prudent man, and had got a mighty interest in the Souldiers by his great bounty to many of them, both in Meat, Drink and Apparel, which knowing, he sent to the chiefest of them, and procured them to give him a meeting at *Litarbis*, a Town three hundred furlongs distant from *Antioch*. Being met, he fell down on his Knees before them, and with gentle rhetoric, enforced by many Prayers and tears so wrought upon them, that all their minds on a sudden were changed, and they went out to deliberate with themselves what was to be done. Being after a while returned, they told him they would yield to his request, and then he named *Philippicus* whom they should ask for their Captain. They told him they could not petition for him, because they and the whole Army had made an Oath never to doe it, to which he replied, that the Priest hath power to bind and loose in Heaven and in Earth, and recited to them the saying of Christ to this purpose out of the Gospel. They were persuaded herein also to consent unto him, and then he fell to his Prayers to appease the wrath of Almighty God, and distributed to them the Immaculate Body of Christ, it being then Maunday-Thursaday, or the day before the Passion. The number of them was two thousand, yet he entertained them all that night, Couches being made them on the Grass, and the next day returned home, permitting them to assemble where they pleased. *Philippicus* who then resided at *Tarsus* in *Cilicia*, he informed how things stood, and advised him to repair to *Constantinople*, whither he sent an account also of his Transactions with the Army, and what they had resolved concerning *Philippicus*. Shortly after, *Philippicus* came to *Antioch*, and the Souldiers meeting him, desired the Christians to intercede to him in their behalf. They fell at his Feet, and he giving them his Hand, told them, all old Offences were forgiven, which said, they received his Orders and followed him in the Wars.

Antioch shaken with an Earthquake.

50. While this Mutiny of the Armies threatned with Ruine the State of the Empire in the East, the City of *Antioch* was again sore distressed by an Earthquake, in the six hundred thirty and seventh year after it was so called, and the sixty first year after that Earthquake which had last happened. *Euagrius* tells us this story, that when as he himself had on the last day of September, taken to Wife a Virgin of tender years, and the City therefore kept Holy-day, and flocked to his House with great pomp and solemnity; about the third hour of the Night came such an Earthquake, as with great violence shook the whole City. It so disjoynted the Foundations, that all the Buildings about the Church tumbled to the Ground, the Hemispherical Roof which *Eusepiamus* had made of Bay-Trees excepted, which had been so shaken with the Earthquake, both in the time of *Justin* and afterward,

that

Euagrius his high Commendations of him.

His General and their Exploits.

that it leaned much to the North, and had thrust out of their place the mighty great Beams which fell with marvellous noise, but now again the Roof thrunk to its own place, and stood as it had done before, without bowing to either side. The Buildings of St. *Mario Church* were quite overthrown, all but one middle Porch that was miraculously preserved. The places of *Ostracina* and *Pseplicum*, and all the parts called *Brifia* were also ruined, with other Churches and the public Baths. The people perished confusedly together about three score thousand persons, as was conjectured by the Bread which was spent in the City. But the Bishop was wonderfully preserved, with those alone of his Family that were near to him, though the whole Lodging he was in fell to the Ground; for when the Earthquake the second time shook the place, and as it were opened the Room, they lifted him up with all speed, and by a Rope let him down to the Ground. God Almighty mixed mercy with his Justice in this respect, that no hurt by fire followed, though in Kitchens, Baths, and other places there were many kindled, as well for public as private uses. In this Earthquake died many Noble and famous Persons, but the Emperor supplied money for the repairing of the City. Thus *Euagrius* of the Earthquake, who had too great cause to remember it from a notable circumstance.

51. Not long after that the Souldiers returned to obedience, *Sittas* one of the Senators of *Martyropolis* took advantage at the absence of the Garrison, and betrayed the City to the *Persians*. *Philippicus* upon notice marched thither, but wanting necessaries for a Siege, after some vain attempts made to regain the place, the Army drew off, and could not be persuaded by *Gregory* the Bishop, whom the Emperor again employed, to return, because they wanted Engins. Care therefore was taken by fortifying the adjacent Castles, to intercept all succours that should come from the *Persians*, and the Souldiers were disposed of into their Winter Quarters. The year following yet the *Persians* sent a supply, and *Philippicus* engaging with this party had the better, but so many escaped into the Town, as sufficed to reinforce the Garrison which was their chief design. The Romans then perceiving there was no winning of the Town by plain force, went and built a Fort upon the top of an Hill at seven furlongs distance, there to prepare Engins and make all things ready for a Siege, and not long after was *Comentolus a Thracian Born*, sent to succeed *Philippicus* in the command of the Army. He though with danger to his own Person had prosperous success against the *Persians*, of whom such as were left alive, having lost all their Captains ran away to *Nisibis*, and fearing to return to their King who had threatened them with Death, except they brought their Captains home in safety, began to enter into Conspiracy against his Life. In the mean time *Comentolus* having besieged *Martyropolis*, left there the greatest part of his Forces, and with the rest went and took a Castle called *Ochas*, which stood upon the farther Bank over against *Martyropolis* on a steep Rock, whence he had a prospect of the whole City. This being taken in, the *Persians* despaired of holding *Martyropolis* any longer.

52. The present King of *Persia* was *Hormisdas*, who had succeeded his Father *Chosroes* according to his appointment. And he succeeded him it seems in his Vices as well as his Kingdom, though not in his long and prosperous Fortunes. *Euagrius* calls him the most wicked and unjust of all others; for he not only robbed his Subjects of their Goods, but plagued them with sundry kinds of Deaths. *Theophanes* to what *Euagrius* hath written concerning the Conspiracy against this King's Life, adds, that *Barames* his General having had ill success against the Romans, after the King had in disgrace sent him the Habit of a Woman was deprived of his command. Inraged hereat, he Conspires against him, stirring up the Souldiers by counterfeit Letters, and draws to his Party *Ferrochabanes*, whom *Hormisdas* had lately put into his place, with *Bindois* a Noble *Persian* newly delivered out of Prison, who suddenly entering the Court, pulled the King down from his Throne, snatched the Diadem from his Head and committed him to Custody. After this the Nobility commanding *Hormisdas* to be brought out of Prison, sawed in pieces one of his Sons and his Wife before his Eyes, then deprived him of his Eyes, and thrust him into a Dungeon. Yet *Chosroes* his Son treated him very civilly, and gave him a large allowance of Diet, which kindness he so little acknowledged, that he trampled all under his Feet that he sent him. This enraged *Chosroes* so much, that forgetting all obligations of Nature, he commanded him with Cudgels to be beaten to Death.

53. This unnatural action of *Chosroes* sore troubled the *Persians*, and procured their hatred against him, which was increased by his putting several Noblemen to Death,

Death, on suspicion that they sided with *Barames* who usurped, which caused the Souldiers to revolt from him, and take the Party of *Barames*. Being now forsaken by all men he fled for his Life, in great doubt whether he should betake himself to the Christians or the *Turks*, in which humour he alighted from his Horse, and laying the Reins on his Neck, resolved to follow him whithersoever he should go, and so he brought him to the borders of the Roman Empire. This account we have from *Theophanes*. *Euagrius* relates that *Hormisdas* being killed by the *Persians* for his Wickedness, and *Chosroes* his Son being Crowned his Successor, *Barames* took Arms against him. *Chosroes* with a small Army intended to engage him, but perceiving his men fell away from him, he fled to *Circassum* after he had called upon the God of the Christians, that his Horse should carry him to a most convenient Place. Being arrived there with his Wife, two young Children and certain Noble men of *Persia*, he sent and craved favour of *Mauricius* the Emperour, who, after mature deliberation of the matter, considering how fickle and infatigable all humane things are, accepted of his suit, and instead of a banished Man, made him his Guest, instead of a forrowfull Fugitive, his loving Son, and bestowed on him divers things in a Royal and munificent manner, the Emperour shewing the like bounty to his Wife, and their Sons to the Children he had brought along with him. Moreover *Mauricius* assisted him with his whole Force in the recovery of his Kingdom, sending a Captain with him, to conduct the Army whithersoever he should desire. He supplied him with an incredible sum of Money, and thus furnished he was brought out of the Roman Dominions as far as *Martyropolis*, where *Sittas* the Traitor was delivered into his Hands, and being stoned by the Citizens, was hanged on the Gallows. The City of *Daras* was also given up to him, the *Persians* being privily stolen away, and the Romans having in one battel quite defeated *Barames*, who fled away alone with great infamy. Then was *Chosroes* restored to his Kingdom, this bloodless victory being obtained, as *Theophanes* writes, by the conduct of *Narses*, whom *Mauricius* sent General of the Roman Army.

54. This same year that *Chosroes* was restored, being the Eighth of the Reign of *Mauricius*, after the Army returned out of the East, the Emperour himself, in the beginning of the Spring, led it down to *Anchialus*, to oppose the *Abares*, who, as the Rumour went, were resolved to waste the Countrey of *Thrace*, and all as far as that City. At their demand he had sent them a golden Table, and many Talents of Money, to purchase Peace, but this not taking effect, he passed to *Perinthus*, then called *Heraclea*, being sorely distressed by Tempests, and having made *Prifcus* General of the Forces in *Europe*, after great loss received from the *Barbarians*, he returned again to *Constantinople*. The *Abares* and *Slavini* having crossed the *Danube*, under conduct of *Chaganus*, an Hunne, over-ran *Thrace*, came at length as far as *Heraclea*, and by stratagem took *Didymothicum*. The violence of these Barbarous Nations the Emperour restrained, as our Historian observes, by his admirable Art and Policy. He rigged up his Navy, and made as though he intended to invade their Territories, the report whereof struck them with great fear, and in a great perplexity they returned home. After their departure he put strong Garrisons into the places lying upon the *Danube*, to hinder their passage for the time to come, and *Prifcus* returned to *Constantinople*, where he was called to account about the Plunder, and put out of his Command, which was conferred on *Peter*, the Emperour's Brother. But he, in the discharge of his Office, did nothing answer *Mauricius* his expectation, and therefore he soon again deprived him, and restored *Prifcus* to his former Place and Dignity. To this *Prifcus* is extant a Letter written by *Gregory* the Great, then Bishop of *Rome*, wherein he congratulates his Restoration, and gives him very good Advice.

55. Thus restored to his place *Prifcus* returns to the *Danube*, to watch the motions of *Chaganus*, whom finding resolved to make another Incurfion, he sends one *Theodorus*, a Physician, to him, to persuade him to embrace Peace and a good Understanding with the Emperour. He finds him excessive proud, and full of arrogant Conceits and Expressions, using this amongst the rest, That they should find he would make himself Lord and Master of all Nations. *Theodorus* takes him down by an old story, how *Sesoftris*, King of *Egypt*, having subdued several Kings and Kingdoms, caused himself to be drawn in a Chariot by four of those unfortunate Princes, whereof one, as he was yoked and drew in the Chariot, would still look back, and keep his Eyes fixed upon one of the Wheels. *Sesoftris* taking notice of this his constant course, would needs know what remarkable thing there could be on which he could gaze so long together. He told him it was the Wheel, which being so unstable, as in a perpetual succession to elevate and depress its several parts,

M m

was

Sixty thousand
Persons perished.Martyropolis be-
trayed to the
Persians.Who is driven
out, and flies to
Mauricius.Mauricius sends
him into his
Kingdom with
an Army.

He is restored.

Mauricius his ill
forces against
the Austers.Who despair to
hold it.Hormisdas suc-
ceeded his Father
Chosroes.

Deposed.

And killed by
Chosroes his Son
and successor.Nisibis, Lib.
18. c. 18. Vide
Baron.Lib. 2. Ep. 51.
Indist. 1. 1. Baron.

was a perfect resemblance of the Vanity and Inconstancy of all things incident to humane Life; which Saying *Sesoftris* so seriously weighed, that he would be no more drawn in his Chariot by those Kings. *Chaganus* smiled at the story, and knowing his meaning, signified to *Theodorus*, that he was not averse to Peace, which *Prifcus* purchased, and the Barbarian drew off his Forces from the Roman Territories. This Year, which was the eighth of his Reign, *Mauricius* caused his Son *Theodosius* to be crowned by *John* the Patriarch on *Easter-day*, and took him to be his Colleague in the Empire, being a Child about five years old.

Peace bought of
Chaganus their
Leader.

Paul and other
Historians differ.

The *Slavi* in-
vade the East.

Defeated by
Prifcus.

Mauricius being
sick, distributes
the Provinces to
his Children.

Which came to
nothing.

Thanks for his
Recovery.

56. *Paul*, the Historian of the *Lombards*, and other Writers, differ concerning the time of the Death of *Mauricius*, as joyned with other matters, they placing several things before it, which he sets after at a good distance. That the *Slavi*, or *Scalvini*, some time before his death, invaded *Elstria*, *Paul* affirmeth; but this was in conjunction with the *Lombards* and *Avars*. Afterward, about the latter end of *Phocas*, as he tells us, their King *Cacanus*, or *Gaganus*, with an innumerable multitude, invaded the Borders of *Venetia*, but *Baronius* placeth that expedition of the *Slavi*, and this of *Cacanus*, in the same Year. *Gregory* the Great, in an Epistle to *Maximus*, Bishop of *Salona*, laments that by the way of *Istria* the *Slavi* had already entered *Italy*; but nothing doth he say concerning *Gaganus* his Invasion of *Venetia*, which *Paul* placeth in the Reign of *Adalalduus*, and a good space after the death of that Bishop. But whatever waste or destruction soever the *Slavi*, or *Scalvini*, made in the Western Parts, the disturbance they wrought in the East was great, where they put *Mauricius* into great Fears and Care. In his eleventh Year they rose up in great multitudes, to cross the *Danube*, of which he having notice, sent away *Prifcus*, with all the Roman Nobility, to restrain them. Their Captain hereat affrighted, sent to *Prifcus* to expostulate and complain, that the Emperor first made War upon his Neighbours. He answered, he had no Commission to make War, but only to restrain the frequent Invasions of the *Slavi*; yet perceiving that they carried it cunningly, and that *Aradagastus* was sending abroad multitudes to forage, at midnight he silently passed the River, and fell upon him when he expected nothing less, cut off many of his Men, and forced him to desert them, and hide himself before such time as he could mount, which done, the Country wasted, and many Prisoners taken *Prifcus* returned in triumph to *Constantinople*, where he was received with extraordinary great joy.

57. Three or four years after this Victory was obtained against the *Slavi*, *Mauricius* fell desperately sick, and, as one leaving this World, disposed of his Empire to his Children in this manner. To his eldest Son *Theodosius* he gave *Constantinople*, with the Eastern Provinces; and to *Tiberius*, his second Son, *Rome*, with *Italy*, and the Islands of the *Tyrrhenian* Sea. The other Provinces he distributed to the rest of his Sons, who being very young, he made *Domitianus*, his Kinsman, the Bishop of *Melita*, a man very diligent and fit for business, their Tutor or Guardian. But this Disposition came to nothing, the great Disposer of all Empires and Dominions having otherwise ordained concerning *Mauricius* and his Sons, as we shall shortly find. But the year following his Recovery, to testify his gratitude to his Maker and Restorer, as we have ground in charity to judge, he sent to *Rome* thirty pounds of Gold to be distributed to the poor of that City, with Gowns to be given to the Soldiers as a military Donative, for all which *Gregory* the Bishop gives him humble Thanks in a Letter full of Duty and Obedience to him his Prince. The Messenger by whom these things were sent was *Julianus Scribo*, who entering upon his Office in *Italy*, oppressed the poor People more than did the very Barbarous Nations that invaded their Country, having been beaten from *Constantinople* by the multitude for violence offered to the Patriarch of that City, at such time as the *Scalvini* were on their march thitherward, wasting and destroying all things in their passage. For that after the defeat given them by *Prifcus*, they yet returned, and in several years following harassed *Ilyricum* and *Dalmatia*, with other Provinces, is too clear and evident.

58. But amongst the other Barbarians the Emperor rightly judged, that more than an ordinary strict Eye was to be had to the motions of *Chaganus* or *Chaganus*, King of the *Avars*, and therefore *Prifcus* was ordered to lie at *Singedon*, and observe his Actions, who had taken up his quarters in the City of *Sirmium*. The Feast of *Easter* was now come, but the Roman Army was ready to be starved, no provisions being to be had in the Country adjacent. *Chaganus* understanding so much, signifies to *Prifcus*, that if he would send his Waggon to fetch it, he would give him what was requisite to the celebration of that high Festival, with such cheerfulness as became the Christian Profession. *Prifcus* sent him forty Waggon with

Ex Oratore Ph-
ca, and The-
phyladum. Vile
Bar.

Triginta sing-
li-
bra aut, qui
constantinus me-
bus
Bispa dedit Scri-
bo, Sacerdotem
gentium & alia
addidit orationi.
Lib. 8. Ep. 2.
Indit. 3. Vile
Bar.

The Avarer
waste Thrace.

Seized with the
Pestilence.

Their King kills
his Prisoners,
and imposes a
Tax.

Mauricius incurs
the hatred of his
Soldiers.

They of *Constan-*
tinople also fall
into a sedition.

Prifcus notably
defends the A-
varer.

with such Presents as he could make, and received Provisions sufficient for the time of the Festival, during which all Acts of Hostility ceased, and without the least fear or Inconvenience they conversed together. But the Feast being over, the Barbarians separated themselves, and wasted the Country of *Thrace* at their pleasure, revelling and feasting splendidly one another. They at *Constantinople* were so much affrighted, that they consulted about quitting *Europe*, and removing to *Chalcedon*, and other places in *Asia*. The Emperor made as good preparations for defence as he could. Having fortified the Wall, he put the ordinary sort into a posture of defending the City, and at the request of the Senate sent one *Armazo* on an Embassy to *Chaganus*, with rich presents, and gentle words, to sweeten the humour of the Barbarian, but the Ambassadors chanced to come in a very ill time, when a great Pestilence had seized on the *Avars*, and in especial manner had afflicted the Family of *Chaganus*, who lost no fewer than seven Sons in one day, and now in anguish of mind, being ready to depart home, desired God to judge betwixt himself, the Ambassadors, and his Master, and offered to release his Captives for a very small matter to be paid him for every head.

59. The Emperor refused to pay the Money. *Chaganus* thereupon fell the halt in his price, but when *Mauricius* refused to give this also, he put all the Prisoners to the Sword, and imposing a Tax of fifty thousand *Aurei* more upon the Roman Territories, went his way. The Emperor, by his carriage in this business, exceedingly lost himself, and provoked the Fury and Indignation of the Soldiers, whom he otherwise also incensed, if we give credit to what is related by *Zonaras*. For owing several Companies of them ill will upon the account of some seditious attempts, when he sent them against *Chaganus*, he gave secret Instructions to *Commentiolus*, their General, to betray them, and expose them to such danger as they must necessarily miscarry, which taking effect, it seems that such as escaped the Sword, and had the fortune to be taken Prisoners out of the same inveterate malice formerly conceived against them, he refused to ransom. The Army mutinies, and sends certain Deputies to accuse *Commentiolus* of treachery, amongst whom appears one *Phocas*, who having Audience of the Emperor in his Presence Chamber, urged the matter with vehemence, and demeaned himself with that sauciness and disrespect that he was beaten by the Courtiers that stood by. And the Petition of the Army was rejected, *Commentiolus* kept still in his Command, and the Deputies dismissed without success, wherewith the Citizens of *Constantinople* now began to be concerned, and assembled in a tumultuous manner, and cast stones at *Mauricius*, who making a search after those that were principally guilty of the Riot, punished them according to their desert, but unseasonably, as now the times flood; for both Army and People began to be weary of his Government, and such Plots were laid, as at length accomplished the utter ruine both of him and all his Family.

60. In the mean time the *Avars* being clear of the Plague, and sensible of the advantages they had upon the Roman Empire, betook themselves to their former practices of wasting the Borders, and *Chaganus* delivers to four of his Sons so many Bands of Men, with orders to keep strict watch upon the banks of the *Danube*. Yet the Romans got over in Boats, and *Prifcus*, who was again employed in this expedition, engaging with the King's Sons in a Battel, which lasted from morning to night, destroyed four thousand of the Barbarians, with the loss of no more than three hundred of his own Men. Three days after this, getting advantage of the ground, he drove those that survived the former battel into the Fens, where many of them perished in the Water, and amongst them the Sons of *Chaganus*, who now himself coming against the Romans, with a great power of Men, *Prifcus* gives him battel, and adds a fresh Victory to his former Successes. To pursue the course of Fortune while the continued in this good humour, he sent four thousand Men over the River *Tissus*, to watch their opportunity, and by a sudden onset to do some notable feat against the Barbarians in those parts, who, utterly ignorant of what had lately passed, were in the greatest security imaginable, and passed away the time in Feasts and Merriments. Falling suddenly upon them, they slew about thirty thousand of the *Gepide*, and others, and returned to *Prifcus*, enriched with much booty. *Chaganus* troubled at these things, resolves to try his fortune with *Prifcus* another time, and coming to the *Danube*, again engaged with him; but Fortune still proved unkind, and he had the worst in battel, many of his Men being slain, and many drowned in the River. Three thousand and two hundred *Avars* were taken Prisoners, besides two thousand Barbarians of other Nations. *Chaganus* sent to *Mauricius* to desire a restitution of Captives, and surprized him so, that nor

Cedrenus in Ann.
19. *Mauricius*.

having yet received the news of so great a Victory, and ignorant what multitudes he had in his Hands, he ordered the Prisoners to be dismissed.

61. Thus it was clear day with these Provinces, when at *Constantinople* a dismal Darknefs and Tempest was gathering over the Head of *Mauricius*, while he celebrated the Nuptials of his Son *Theodosius*, with the Daughter of *Germanus*, a Patritian. As the breeding of ill weather is perceived by some, who from the repugnancy of their Temper and Constitutions, can prognosticate the effects of that change, which they find already made in the Elements; so out of some antipathy, or from other secret Causes, the approach of this dreadful storm was both apprehended by the Emperour, and others. *Surius* tells of a religious Man, to whom it was revealed what manner of death *Mauricius* should die, after that a Lamp which perpetually burned in the Church, went out of it self, and though many times lighted, yet could not be kept in by any endeavours the Monks could use. Another Monk holding a drawn Sword in his hand, went as far as from the *Forum* to the Brazen Gate, crying out all the way, that the Emperour should die by that sort of Weapon. It was by others told *Mauricius*, that he should fall by the Hand of one whose name began with *Pb*, which made him suspect *Philippicus*, his Sisters Husband, who with all Oaths and Proteflations imaginable, disavowed all Plots and Conspiracies whatsoever. These things made him look about him, and reflect upon the passages of his Life, which doing, he found himself much in fault, as to the Redemption of the Captives, which he had refused, and all things considered, he desired rather to receive his punishment in this World, than in that to come, for which purpose he sent to all Patriarchs, to all Monasteries, and to *Jerusalem*, to desire the Prayers of devout persons. Prayers being accordingly made in his behalf in all places, one night he dreamed, that he stood before the Image of our Saviour, erected at the brazen Gate of the Palace, where a great number of Captives accused him: That a voice proceeded from the Image, which commanded him to be apprehended, which being done by the Officers attending, it was demanded of him whether he would be punished in this or another Life. He answered, he had much rather in this Life, than that which was to come, receive what he had deserved, and presently it was decreed, that he, his Wife, his Children, and his whole Family, should be given up into the Hands of *Phocas*, a Souldier.

62. As soon as he awaked he sent for *Philippicus*, who knowing the Emperour's jealousies, feared he might possibly never return alive, and therefore received first the holy Communion, and then went to Court, leaving his Wife at home, weeping in Sackcloth and Ashes. The Emperour, when he saw him, commanded him that waited to withdraw, and falling at his Feet, besought him to forgive him, telling him he had done him great injury, in suspecting that he had plotted against his Life, whereas now he plainly perceived he was innocent. He desired him to tell him if he knew one *Phocas*, a Souldier in the Army, which he said he did, and that it was he who being sent about the business of *Commentiolus*, had demeaned himself so saucily in his preference. He asked what was the Temper of the Man. He said he was timorous, and yet of a fierce Nature. If he be a Coward, faith he, he is a Murderer, and then told *Philippicus* the whole story of his Dream. Now this very same night appears a Comet in the Air, such as from the shape of a Sword they called *Xiphis*. And as *Cedrenus* writes, *Magistranus*, whom he had employed in this affair, returning from holy Men, brought him word that God had accepted of his Repentance, that he would save his Soul, and place him, and all his Family, amongst the Saints; but he must lose the Empire with great Infamy and Damage. *Mauricius* having received the Message, glorified God exceedingly.

63. Matters thus standing, he sent orders to his Brother *Peter*, who commanded the Army, to pass over the *Danube*, and take up their Winter Quarters in the Enemies Countrey. The Souldiers would not endure to hear of any such thing, but fell into a mutiny, and lifting aloft *Phocas*, the Centurion, upon a Target, with lucky Acclamations saluted him Emperour. This as soon as *Peter* perceived, he withdrew, and returning to *Constantinople*, acquainted *Mauricius* with what had passed. The Tidings of the promotion of a new Emperour came to the City almost as soon as his Intelligence to the Court, and as the multitude is ever greedy of change, and weary even of the best things, thereupon they fell into great tumults and disorders. *Mauricius* perceiving here he could not be safe, takes Ship at midnight, with his Wife and Children, and by Tempest was driven to *St. Autonomus*, being at the same time seized with great pains of the Gout. He had sent before his Son *Theodosius* to *Chofroes*, to put him in mind of the good Offices he had done him, and in this time of his extremity, to desire that he might receive the like

Cedrenus, Zonaras.

Things portending the Ruine of *Mauricius*.

The Souldiers salute *Phocas* Emperour.

kindness. But as soon as it was known in the City that he was gone, the Tumults increased, and the multitude reviled him in the *Forum*. When word was brought that *Phocas* drew near to *Constantinople*, those of the Faction of the *Prasini* went out to meet him, Congratulated with the Tyrant his Promotion; and invited him to take Possession of the *Hebdomus*, or the Palace so called. Here *Cyriacus* the Patriarch, and the Senators made their Addresses, and the Bishop having received from him a Confession of his Faith, with a Promise to preserve the Peace of the Church, Crowned him with the imperial Diadem, and thus was he declared Emperour in the Church of *St. John Baptist*, to the great detriment of the *Roman* State, as was afterward found by the Innumerable mischiefs that followed. Two days after, in an Imperial Chariot he Rode to the Court, and on the fifth day he set a Crown on the Head of *Leontia*, or *Leonto* his Wife, and named her *Augusta* in a great Assembly.

64. As the Custome was, he must now go to the *Circus* to be present at the publick Shews, and there the *Prasini* and *Venetii* not forgetting their old wont fall a Quarrelling. *Phocas* sends some of his Guard to quiet them, who deal roughly with a Tribune of the *Venetian* Faction; more turbulent it seems than the rest, which his Friends not enduring cried out Tumultuously to the Tyrant, that he should be-think himself, that *Mauricius* was not yet dead, and they threatened to fend for him and make him Umpire in the present Controversie. This startled *Phocas*, and put him into such a fit of Anger and Jealousie, that he resolved, that with the Life of *Mauricius* he would no more be reproached. He caused him therefore to be brought to *Chalcedon*, to the Haven of *Eutropius*, where first he commanded his five Sons to be slain before his Face, with which Spectacle he was no otherwise affected, than that with great Courage and Submission to the Will of God, he said, *Just are thou O Lord, and righteous in all thy Judgments*. And so far was he from any murmuring, or impatience at the sad Estate, wherein he now stood, that when the Nurse hid one of his youngest Sons, that his Family might not altogether perish, and placed one of her own in his stead, the Good man would not suffer this kind Fraud of hers to take Success, but discovered it, and then willingly submitted his own Neck to the Executioner. Their heads were cast on a heap in the Fields near the Tribunal, where they lay till they putrified, and then the Tyrant gave leave they should be buried with their Bodies. Such a lamentable end had *Mauricius* after he had Reigned sixteen years three Months and odd Days; in the Month of November, the sixth Indiction, the thirteenth of *Gregory* the *Roman* Bishop, A.D. DCII.

Peter his Brother and others.

And *Theodosius*, *Mauricius* his Son.

Chofroes denounces War against the Tyrant.

65. *Mauricius* being thus dispatched, *Peter* his brother was put to Death. So was *Commentiolus*, with *George* the Son of *Philippicus*, and *Prasentinus* the great Bosom Friend and Councillour of *Peter*. But the Jealousie and Cruelty of the Tyrant were not confined to *Constantinople*, and the places adjacent; there was one yet alive, who for all this might spoil the best of his sport, and hinder him from enjoying the Fruits of his Villanies, whose Title to the Purple was much more ancient than that of his. This was *Theodosius*, whom his Father had sent to beg aid of *Chofroes*, but as Tyrants have long Armes, he reached him e'er he came to the Confines of the Empire, and ordered him to be put to Death, which was Executed at a place called *Leucaia* not far distant from *Nicaea*, where he was surprized. The Youth desired the Favour, that e'er he died he might partake of the Holy Mysteries, which being granted, he took a stone from the Ground and thereby having three times struck his Breast, he prayed and said, *Lord Jesus, thou knowest I never injured any Man, but however deal with me as thou pleasest, and Glorifie thy Power*; which said, his Head was presently cut off, though others reported, that being sent by his Father with Letters to *Chofroes*, he miscarried some other way. However, it happened that trouble arose to the Tyrant from that very thing whereon he founded his greatest Security, for what way soever *Theodosius* miscarried, the incertainty of the manner, brought the matter it self into Suspicion and as is usual in such Cases, those whose Interest it was to have him alive, gave out, that some other Person was killed for him. And though *Phocas* sent according to the Custome to *Chofroes*, to acquaint him with his promotion, and by good Words and fair Pretences, to draw him to an owning, and Patronage of his Cause and Person; yet the Messenger was so unwelcome, (*Cilius* by Name, who had with his own hands murdered *Mauricius*) and much more his Message, that the Barbarian moved with a Sense of Gratitude and Honour, renounced Friendship with the Tyrant, and denounced that War which shortly after involved the Empire in innumerable Miseries.

66. But in the mean time, viz. in the Month of April, were the Images of Phocas and his Wife, as the manner was, brought to Rome, where the People rejoiced in Changes, and incited by the illegal and violent Courses of the late Emperor's Ministers in Italy, received them with lucky Acclamations; and Gregory the Bishop commanded them to be laid up in the Oratory of St. *Casarius* the Martyr within the Palace, not the *Laterane*, but another standing betwixt the *Via Appia* and *Laticina*. This done the Bishop Writes a Congratulatory Letter to the Tyrant, beginning with "Glory to God on high, who as it is written changeth times, and translating Kingdoms to whom he pleaseth, by whose incomprehensible Dispensation it comes to pass, that various are the Conditions of humane Life, and sometimes "for the Punishment of the sins of many, one Man is raised up, through the hardness of whose Heart, the Necks of his Subjects are burthened with the Yoke of Tribulation, as we, faith he, have in our affliction long experienced. But sometimes when it pleaseth our mercifull God, to comfort and refresh the Hearts of many that are sorrowfull, in like manner he promoteth one to the Sovereign Power, through whose Bowels of Mercy he infuseth the Grace of his Exultation, or rejoicing in the Hearts of all; by the abundance of which "Exultation, faith he, we believe we shall speedily be strengthened, who rejoice that the Benignity of your Piety, is raised to the imperial Sovereignty. Let the Heavens and Earth rejoice and all your People hitherto exceedingly afflicted be "Exhilarated by your benign Actions. Then he prays that he may have good Success against his Enemies; that the Commonwealth may enjoy under him happy times, the Depredations even of Peace, which had been made upon various Pretexts, being now removed: That Deceits and Cheats used about Testaments, and violent Exactions of Donations might cease; that every one might have the Possession of his own well gotten Goods secured unto him, and each one enjoy his Liberty, this being the real difference, that ought to be found betwixt Kings "of other Nations, and Roman Emperours, that they are Lords of so many Slaves, and these not of such, but of free Persons. Thus he, or to this purpose, worteth his Letter, which being answered by Phocas, Gregory sends another, wherein he again rejoiceth, and giveth God thanks that the Yoke of sadness being removed, they had now arrived at the times of Liberty, under this benign and Pious Emperour. Another of the same strain he wrote to *Leontia* the like Pious Empress with Words, if not Clawing them, yet exceedingly reflecting upon *Mauricius*: But what sort of Persons this Phocas and *Leontia* were, let us now see by particulars, so far as in these obscure times we can receive light from the Historians that are still extant.

67. Phocas was a Man of mean Stature, deformed, of a terrible Aspect, had Red hair, his Eye-brows met, shaved his Beard, and had a Scar on his Cheek, which when he was angry grew of a blackish Colour. He was given both to Wine and Women, was bloudy and fowre, fierce in Speech, free from all Compassion, furious in his Disposition, and an Heretick. He was not unequally Yoked, having a Wife of the same Humour and Inclination, and therefore under them Mankind could not thrive, but was overwhelmed as with a Deluge of Miseries. For innumerable multitudes both of Men and Beasts, perished partly by Plague, and partly by Famine, and the Winters were so severe, that the Seas were frozen, and the Fish died. He endeavoured to please the People by celebrating the *Circensian* Games; but the multitude now in cold Bloud began to think what a Change they had made, and though they had formerly approved the Treason, yet now hating the Traitor, they would not be cajoled by him. Having, during the Solemnity of these Games, toward the Evening drank abundance of Wine, and delaying to return to the *Circus*, the multitude commanded him to come forth, bidding him rise up, and when he came not yet at their Call, they cried out, *Haft thou again drunk Wine? Haft thou again lost thy Senses?* Hereat he was so enraged, that causing many to be laid hold on, some he dis-membered, and others he put to Death. But the Rabble cast Fire into the Castle where the Prisoners were kept, whereby in the Tumult they all escaped. He to provide against all feditious Attempts, built an Arcenal near to the Palace of *Magnaura*; and to try his Skill, if by fair means he could get the Love of the People, going as in Triumph to a publick Feast, he cast much Money amongst them. But he gained nothing.

68. For such dreadful Miseries happened shortly after, in the Provinces, as by Sympathy cast the City into great Tumults and Disorders. *Chosroes* sent a great Army to invade the Roman Territories, being solicited to doe it by *Narjes*; who upon the Murder of *Mauricius* revolted, and seizing on *Edessa*, sent to the *Persian* for

Imagines Aug. miri facte sunt in diversis provinciis et ad Principum Amicos atque discipulos Laetitia, quasi Lauream. Greg. lib. 11. Ekdor. 10. Ind. 6. ep. 38. Vide Bar. et Signum.

Per Cuius misericordiam iustitiam in confusum mentibus Exultationis sua gratiam infudit de qua Exultationis abundantia roboremur ut citius credimus, qui benignitatem vestra pietatis ad Imperiale fastidium pervenisse Gaudemus. Latentur Calli exultet terra, &c. Interpretis cura est ne sententia diffinita evadat.

Ep. 45. Edit. Rom.

Ep. 46.

Extremus ad Phoc. Ann. 1.

for Succours. Phocas hearing of the Invasion, makes *Domentiolus*, or *Domitius* his Brother, *Magister Militum*, and sends *Germanus* against *Narjes*; whereas the *Abares* threatened to renew their Rapines and Devastations upon his Subjects, he adds something to the Tribute, formerly paid to *Chaganus*, hoping so to quiet him: His great Force there he employs against the *Persian*, but coming to Battel *Germanus* receives a Wound, whereof he dies an eleven days after, and *Leontius* who succeeded, having also ill Success; Phocas was so enraged against him, that he caused him to be led in Chains in an ignominious manner. Matters thus ill succeeding against the *Persians*, when Force would not prevail, Phocas betook himself to Craft, and left no means unattempted to draw off *Narjes* from his Confederacy, and by many reiterated Promises backed with Oaths, perfwaded him at last to forsake the Cause and Camp of the Barbarians, and to return to his own Country. But having got him into his hands without any regard to Oaths or Promises, he burnt him alive, to the great distaste, and discontent of the Roman People, to which he was most dear for his many good Services, and to the great Satisfaction of the *Persians*; who not only bore him ill Will, for his late forsaking of them, but feared him for his great Abilities in War, with the effects whereof they had so smarted, that with the Terror of his Name as a sufficient Scar-crow, they were usually wont to fright their Children. The *Persians* however resolved to proceed; and this year took in *Daras*, moreover all *Mesopotamia*, and *Syria* they over-ran and wasted, returning home with incredible great Booty.

69. Phocas having now possessed the Throne for the space of four years, thought to Establish it more by making Alliances with the Nobility. To *Priscus* a Patrician, and the Comes *Excubitorum*; he gave his Daughter *Domitia* in Marriage, which being solemnized in the Palace of *Marina* for the greater Grace, he appointed a Game, or Exercise with Horses to be held. But the sport was all spoiled, and their Mirth ended with Sorrow. For the People it seems saluting the Bridegroom, and Bride with the Titles of Emperour and Empress; the *Demarchi*, of both the *Venetian* and *Paphlagonian* Factions, placed their Images at the four Columns by order of the *Mensores* (or *Delineatores* as they were called) being those that had the Charge of managing the Solemnity. The *Demarchi* (*Theophanes* and *Pamphilus* by name) he sends for, and commands them first to be stripped, and then beheaded. *Priscus* trembled to think, what a Case he was in, and though without any Fault of his, incurred the Displeasure of the Tyrant; who yet pardoned the multitude upon their Petition. But being now put into a fit of Fear and Jealousie; it happened, that one *Patrenia* coming to wait on *Constantina* the Relict of the Emperour *Mauricius*, revealed the Intelligence that passed betwixt that distressed Lady and *Germanus*, and what hopes they nourished, that her Son *Theodosius* was yet living. The Tyrant caught *Constantina* to be tortured, who Confesseth in her pains, that *Romanus* a Patrician was of the Conspiracy. *Romanus* by the same means was brought to discover others; as *Theodorus* Prefect of the East, who was put to Death, *Helpidius*, who had his Feet first cut off, and was afterward burnt alive. *Constantina* with her three Daughters, was put to Death in the same place, where her Husband had been formerly murdered. *Germanus* also, and his Son were sent after them, together with *John*, *Ziza* a Patrician, *Theodosius* and several others.

70. These discoveries increased the Rage and Jealousie of the Tyrant, to such a Degree that like a Wild Beast he raged, and fell upon all that he found in his way. Many he cast into Prison, upon slight and idle Suspitions, and so crowded the Gaol (which having been made rather too little in *Constantine's* time, had never since been enlarged) that for want of room, with the Noisome smells of the place several of them perished, which so affected a certain noble Matron, that she gave freely an House of hers adjoining for enlarging the Prison. While Phocas thus rageth at home against the Nobility, *Chosroes* in the East passeth *Euphrates*, and makes Havock of the poor People in those Provinces, wasting without controul all *Syria*, *Palestine* and *Phoenicia*. And as well the Rage of the one, as Fury of the other continued the year following. For the *Persian* Army, if we credit *Theophanes*, though *Cedrenus* placeth it in the year following, made another Invasion, and defeating such Forces as were sent to oppose them, passed through *Galatia* and *Paphlagonia*, as far as *Chalcedon*, doing all things that Enemies are wont to doe in such Cases. Phocas in the mean time, as if he could stop the flux of Blood in the Provinces, by a kind of Revulsion, and opening the Veins of those about *Constantinople*, proceeds in his Murders of the Nobility, a great Mortality at the same time conspiring with him, and *Chosroes* together, to rid the World of poor Mortals. After the slaughter of such as were related to *Mauricius*;

sigisla lib. 17.

Glicia in Annal.

Gregory Bishop of Rome, flatters him and his Wife.

Phocas his Character.

The People revile him.

Chosroes defeateth the Romans.

Phocas burns Narjes alive.

Other Cruelties.

Chosroes wastes the East.

Prifus the Son-in-Law of Phocas Conspires against him.

he put to Death *Commentiolus* the Governour of *Thrace*, and many others, and with this constant course of Cruelty to wearied *Prifus* his Son-in-Law, that he resolv'd to wave all the interest he had in him, with all his hopes and pretensions, and hearing that in *Africk* a Conspiracy was hatching, sent to *Heraclius* the Patriarch, who now govern'd that Province, desiring him to dispatch away with all speed his Son *Heraclius*, and *Nicetas* the Son of *Gregoras* his Lieutenant, with a sufficient Army against the Tyrant.

The Jews rise against the Christians at Antioch.

71. The Tyrant ignorant of these Transactions to pursue his own maxims, makes choice of such as he thought as cruel as himself for his prime Ministers. For this purpose he creates one *Bonifus Comes* of the East, a furious and rugged man, whom he lends to restrain the violence of the *Perfians*, but as he was on his way, he was recalled to extinguish the flames of a Rebellion, which now broke out at *Antioch*, where the Jews rose up against the Christians. They flew *Anastafius* the Patriarch, which done, they cut off his privy members, and put them into his Mouth, and then dragged his dead Body through the Streets. They killed and burnt many of the Citizens, and proceeded still in their fury till the news being brought to *Phocas*, he ordered *Bonifus* and *Cebus* the *Magister Militum* to chastise them, which they did to purpose, being not able to prevail by fair means, putting many of them to the Sword, and dismembering many whom they then banished the City. Thus was this sedition suppressed at *Antioch*, about the time that disorders of greater consequence happened at *Constantinople*, where the Heartburnings of the People against the Tyrant though for some time smothered, yet so increased as to break out into a greater flame. As he was present at the Shews in the *Circus*, the *Praefini* could not hold but upbraided him with his Drunkenness, telling him that he had again drunk in *Gabasia*, which was a very large sort of Cup, and that he had again lost his sense and understanding. In great wrath he caused *Cosmas* an Officer to apprehend many of them, of whom some he beheaded, others were dismembered, and some put into sacks and thrown into the Sea. The *Praefini* hereat enraged, as much as he, gathered together, set fire to the *Prætorium*, Court, and several Offices with the Prisoners, out of which they let go such as lay in Chains. The Tyrant hereupon in great wrath, caused the *Praefini* to be disarmed.

The Praefini again revile Phocas.

He disarms them.

Punisheth a Conspiracy.

Heraclius comes out of Africk against him.

Phocas put to Death.

72. This year, which was the seventh of his Reign, happened so sharp a Winter, that the Seas were frozen about *Constantinople*, and now the Tyrant's own Court began to wax too hot for him, where every day Conspiracies being hatched, for ridding the World of so great a Plague. *Theodorus* a *Cappadocian*, the *Præfatus Prætorio*, *Helpidius* the Captain of his Artillery, and several others devised how they might kill him in the *Hippodrome*, but the Conspiracy was revealed by *Anastafius* the *Comes Largitionum*, and when upon examination it was found, that they had resolv'd to make *Theodorus* Emperour, he put them all to Death, *Anastafius* as well as others. But things could not long stand in this Condition, though he escap'd this danger, yet being now set against all men, and all men against him, the controversy must shortly be decided. *Heraclius* is saluted Emperour in *Africk*, and comes with a great Fleet and Army rais'd in these Southern parts toward *Constantinople*, while *Nicetas* marches with a great Land Army by the way of *Alexandria* and *Pentapolis*. *Heraclius* had made a contract with *Eudocia* the Daughter of *Rogatus* an *African*, and she was now at *Constantinople* with *Epiphania* his Mother, which being told to *Phocas*, he caused them to be apprehended, and shut up in a Monastery. But *Heraclius* holds on his course and comes to *Abidus*, which being perceived by *Domentiolus* the Brother of the Tyrant, who had appointed him to keep the long Walls, he fled with the News of his approach to *Constantinople*. Having at *Abidus* kindly received such Noblemen as had been exiled by *Phocas*, *Heraclius* pursued his Voyage to *Heraclæa* and so to *Constantinople*, where in the Haven of *Sophia*, he engaged in Battel with the Tyrant and had the better. *Phocas* being defeated fled to the Court, which being observed by one *Phoebus*, whose Wife he had Ravished, with a party of Souldiers he broke in to him, drag'd him ignominiously from his Throne, pull'd the Imperial Robe over his Ears, and putting on him a black Vest, led him in Fetters to *Heraclius*, who after he had asked him, If he had not bravely Governed, and he had answered, It was his part to do better, commanded first his Hands and Feet, then his Arms and privy Members to be cut off, and at last his Head. What was left of his Trunk, the Souldiers burnt in the Forum of the Oxe, a Market place so called, and this end had Baseness and Cruelty, after they had domineer'd something above seven years, in the fourth year of *Boniface* the Fourth, the Roman Bishop, the thirteenth Indiction, A. D. DCX.

Chosim ishus Capemum appellat Cedraur.

Lutum sanguine maceratum.

Heraclius Succeds.

his Character.

The Perfians invade the Empire with others.

The birth of a young Prince, and the Death of his Mother.

The Saracens invade Syria.

Heraclius intends to establish his Family.

Cebus hopes to make himself Master of the Empire.

Heraclius marries his own Niece.

73. *Zonaras* writes that the Brothers and Relations of *Phocas* were also put to Death, and that *Heraclius* being Crowned by *Sergius* the Patriarch the same day, set the Crown on the Head of *Fabia*, whose name was changed into *Eudocia*, and that he consummated the Marriage formerly contracted. *Heraclius* was as to his Countrey a *Cappadocian*, descended of a Noble and opulent Family, active and valiant, of a middle Stature, large Breasted, had sparkling and grayish Eyes, a white Complexion, yellow Hair, and a large broad Beard, but immediately upon his promotion, he both cut his Hair and shaved his Beard, as was the custom of Emperours. This year had been very happy in such a change, but that the *Perfians* turned the Joy thence conceived by those of the Eastern parts into mourning, for invading *Syria*, they took *Apamea* and *Edessa*, and came as far as *Antioch*; the *Romans* opposing them with ill success, that in a manner the whole Party perished in the Attempt, very few escaping to carry the News of the Defeat to their Friends and Relations. The *Scythians* also and *Abares* invaded *Europe*, which things made the new Emperour very solicitous what to do. For the Legions were quite wasted and gone, very few being found in the Muster Rolls, inasmuch that of those many thousands which Rebelled against that good Prince *Mauricius*, and saluted *Phocas* their Emperour, by a remarkable Providence, no more than two Souldiers were remaining. But *Heraclius* making as good preparations as the weak Estate of the Empire would permit, made *Crispus* General, and sent him into *Cappadocia*, which the following year the *Perfians* invaded, as well as *Armenia*, and after great waste and destruction of all things, got *Cæsarea* into their Hands, which done, they roved up and down at their pleasure; the *Roman* Forces being not able to make Head against them, at least not any considerable opposition. While these things ministred matter of sorrow at *Constantinople*, some diversion was given to the Court by the Birth of a young Prince, *Heraclius* the younger, who was afterward called *Constantine* Junior, of which the Empréss was brought to Bed on the third of May. She had before this brought a Daughter named *Epiphania*, and not long after the Birth of her Son Died, an unluckily accident happening at her Funeral. As she was carried with Royal Pomp through the *Forum*, a Girl of some Barbarous Nation unwittingly and by accident spate upon the Herse, for which the poor Creature was laid hold on and cruelly Burnt, making thus a lamentable parentation to the Deceased Empréss.

74. This act of Cruelty was not left unrevenge'd in the East, where one mischief still followed at the heels of another, though the *Perfians*, glutted with blood and burthened with booty, thought fit to give rest both to themselves and the places subject to their Invasions. But the *Saracens* as it were to play their Game, while they were weary and looked on, made Incursions into *Syria*, which they miserably wasted with Fire and Sword. *Heraclius* to secure in his Family the succession of a tottering and uncertain Empire, creates his Daughter *Augusta* or Empréss, and within a year following gives a Diadem to *Heraclius* his Son, whom he surnamed *Constantine*, and caused to be Crowned in like manner by *Sergius* the Patriarch. Having thus given them a Title, he resolv'd to uphold it as well as he could, and made as good preparations as he might for an expedition against the *Perfians*. But they prevented him, being now fresh and fit for new Slaughters, for they took *Damascus*, and carried away captive a great multitude of People. Hereupon he sends to *Chosroes* to persuade him to admit of moderate Councils, to put a stop to that constant issue of blood which he made, and satisfy himself with an Annual Tribute. But he dismissed the Ambassadors with a denial, without any reasons given for his Resolution, hoping now to make himself Master of the *Roman* Empire. He sent a great Army into *Syria* under the command of *Rasmissus*, which having seized on the Passages of *Jordan*, wasted *Palestine* and took the City of *Jerusalem*. Here they committed such outrageous acts, as the horror of them could not be expressed. About ninety thousand Christians they took and sold many to the *Jews*, who out of their inveterate hatred to their Religion, refused to treat them as by the universal consent of Nations, Captives were wont to be dealt with, but inventing all sorts of Torments, put them to most cruel Deaths. *Zacharias* the Patriarch was carried away into *Perfia*, with some wood it's said belonging to the Cross of Christ, and vast Plunder. And this is all the account we have concerning this lamentable accident, Historians having given us but a touch of that which deserved more largely to have been related.

75. In the mean time *Heraclius* being now a Widower, Marries *Martina* his own Niece by his Brother, and causeth her to be Crowned by *Sergius*, for which incestuous Act he is much blamed by Writers, and severely punished as they

they observe. She brings him a Son who is also called *Constantine*, at such time as the *Persians* overrun all *Egypt* and *Africa* as far as *Carthage*, which having attempted to no purpose with their usual Booty and innumerable Prisoners they return home. At this time most lamentable was the condition of such as fled from the danger to *Alexandria*, where there were no provisions for so great a multitude, neither had the *Nile* overflowed according to the custom; but by the care and liberality of *John* the Patriarch they were much relieved. Certainly this was a miserable Age, and the condition of the *Roman* Empire was most calamitous, the Barbarous Nations roving up and down at their pleasure, and *Heraclius* seeming so incapable of any effectual resistance, that he appeared as a man utterly dejected and out of hope. This kindled the heat of Ambition in some mens Breasts, who seeing him so unable to defend the *Roman* Dominions, and perceiving all was in danger, resolved to get a share to themselves, rather than suffer all to be lost to the Barbarous Nations. In *Italy*, *John*, the Governour of the City of *Naples*, rebels and kills *John* the Exarch of *Ravenna*, into whose place was sent from *Constantinople* when his Death was there heard of, one *Eleutherius* who killed the Tyrant, and restored Peace to those Quarters about *Ravenna*. But being warm in his Seat, he began out of such considerations as we lately mentioned, to entertain ambitious thoughts of setting up for himself, having the greater Encouragement, because the Territories subject to his command lay at such a distance from the Emperor, who not being able to defend the Eastern Provinces, how could it be expected that he should protect *Italy*, into the Bowels of which the *Lombards* had all insinuated themselves: while he contrives in his Head, by what means he may best bring about his purpose, *Italy*, as seldom having time to breathe betwixt one Calamity and another, is sorely shaken with Earthquakes, and afflicted with a dismal Plague of Leprosie.

76. *Heraclius* in the mean time, as if he had been seized with some lethargick Indisposition, and could fright the Enemies of the Empire by glorious names, neglects his preparations for War, and instead of triumphs of the Field, makes choice of Domestick shews and solemnities. All his endeavours he bends to the promoting of his Children, in the seventh year of his Reign, conferring the Honour of Consul on *Heraclius Constantinus* his eldest Son, who bestowed on *Constantine* the younger, his Brother by *Martina*, the Title of *Cæsar*. Desirous to be at peace, he sends now the second time to *Chosroes* offering to purchase it though upon very hard terms, but the Barbarian the more he submitted the more insulted, and utterly forgetting as well the good offices he had received from the *Romans* in his late condition, as the vicissitude of humane Life, arose to that height of Arrogancy, as to require the Emperor and his Subjects, if they would be at quiet to renounce their Crucified Saviour, and with him adore the Sun for their God. Yet this Embassy or some other motive had this effect, that the *Persians* stirred not the following year, which, notwithstanding was full of trouble, or fuller than the preceding. For the *Avares* now again invaded *Thrace*, whom to divert or send back, *Heraclius* dispatched away his Ambassadors. *Chaganus* their Leader promises Peace, whereupon the Emperor with all his train, goes and meets him as far as the long Walls, and with gentle words labours to persuade him to continue in so good a mind, when suddenly the Barbarian contemning the Agreement, and the Oaths wherewith he had sealed them, falls upon *Heraclius* who escaping narrowly to *Constantinople*, lost all his Baggage which he was forced to leave behind with some of his men. *Chaganus* having under them of Peace and Amity, taken and plundered many Towns in *Thrace*, and enriched himself and followers by such perfidious practices returned home.

77. The year following, the *Persians* knowing how easie a Game they had to play, for their exercise and diversion as well as enrichment, made another Invasion and took *Ancyra* a City of *Galatia*. He must have been prodigiously stupid, whom so many affronts could not move to Indignation, excessively negligent and bad natured, whom so many Cries and Lamentations of multitudes spoiled of their Friends and Goods, and others led into Captivity, could not affect, and poor spirited above example, that could hear every day of this Town lost, and the other Province wasted without being exceedingly concerned, and in pain, till an effectual course could be taken, both for repelling the Injury, and prevention of the like for the time to come. Whatever was the matter that *Heraclius* hitherto had seemed to be asleep, yet now he roused himself and his Animosity and Resolution, though hard to be raised, yet now raised, gave hopes with them that they would not easily be laid down. He resolves to recall if possible, the ancient Fortune of the

Romans,

Romans, to restore their Valour and Conduct, and to make such an expedition into *Persia*, as might not only secure the Provinces, but recover the Reputation of the Empire. But it's ill fighting with one Enemy, when a Man has another at his back, and engage with two, or more, at the same time. He endeavours therefore to take off *Chaganus*, and if not gain his Heart, yet to tie his Hands, that he might stand neuter, and do him no hurt at home, whilst abroad he provided for the security of himself and Subjects. He sends once again to him, and having gently reprehended him for his late unkind dealing, once more exhorts him to embrace Peace, and a good understanding with him his Neighbour. The Barbarian promises to alter his course, and now to observe the Peace inviolably.

78. Animated by this Report made by his Ambassadors, and now, as he thought, secure of the *Avares*, he buckled himself to his designed Expedition with all Alacrity. His Treasury was so empty that he was forced to borrow Silver and Gold of the Churches, which he stamped into Money. He hired the Turks, and other Barbarous Nations, to follow him into *Persia*, and in his way made such Levies as formed up a new Army. At *Constantinople* he left his Son to command in his absence, assisted by *Sergius* the Patriarch, and *Bonus* a Patrician, a Man of great Wisdom and Experience. *Chaganus* by Letters he still exhorted to keep his Word and Faith, so religiously given, and the next Evening, after the solemnity of *Easter* was over, set forward for *Persia*, training his Men as he marched, and disciplining such Troops as were raw and unexperienced, being newly raised. In the mean time, while he prepares for his Journey, *Saas*, the *Persian* General, sent by *Chosroes*, wastes the *East* without controul, and coming even as far as *Chalcedon*, there stays for some time, and invites *Heraclius*, under pretext of a Treaty of Peace, to give him a meeting. The Emperor met with him according to his desire, and trusting too much to his flattering Language, sent seventy of his Nobles with him on an Embassy to *Chosroes*, whom the perfidious wretch carried bound with great contumely into *Persia*, but there being arrived, had his skin pulled over his Ears, for having seen *Heraclius*, and not brought him away Prisoner, and the *Roman* Ambassadors were cast into Prison, and severely handled. *Chosroes* after this sent another Captain against the *Romans*, called *Sarbaras*, who entering *Asia* with a vast number of Men, did answerable mischief in the Provinces. But *Heraclius* now having composed the differences risen amongst his Souldiers, and animated them with courage and confidence against his Enemies, pursued his March, and came to the confines of *Armenia*. Here he understands he must fight for his passage, a Body of *Persians* being ready to give him a stop, but there was not much need of troubling himself, some of his Vanguards easily defeating this Party, of which they brought the Captain Prisoner to his Presence. Winter now drawing on, he held on the way toward *Pontus*, as if he would there take up his Winter Quarters, and the *Persians* imagining no less, he surprised them, and fell into their Territories.

79. One of their Commanders had already entred *Cilicia*, to divert him from his designed Invasion, but now perceiving how the case was altered, he retreated to defend his own Countrey, and followed *Heraclius* in the rear; yet did him little or no prejudice, though he seized on the Mountains, and the most advantageous places, still coming off with loss and Infamy. At length other forces drew up, and then they came to a pitched battle, wherein the Courage and Alacrity of *Heraclius* so animated his Men, that they obtained a notable Victory over their formerly insulting Enemies, and let them see that Fortune had not altogether addic'd her self to them and their Cause. This done, the Emperor drew down his Forces into *Armenia* to Winter, and he himself returned to *Constantinople*, whence he was constrained, after no very long stay, to return again into the East. For *Chosroes* sent *Sarnabazas*, or *Sarmanazaris*, to waste the *Roman* Provinces, as formerly, and being again moved to accept of Peace, and compose the differences, for the ease and security of the People for the time to come, he refused what was offered, and slighted the Message. *Heraclius* therefore sees he must again invade *Persia*, which he did toward the latter end of April, which *Chosroes* understanding, recalls *Sarnabazas*, and making greater Levies, joins him and *Sainus*, or *Sathis*, in command, with orders to find out and engage the Emperor. *Heraclius* pursues his March, and having by Arguments, drawn from religious considerations, much elevated the courage of his Men, pierced into the inner *Persia*, where perceiving that the King himself lay at a place called *Gazacum*, (or *Gaza-Cotia*) with forty thousand stout and courageous Souldiers, made haste to surprize him. He sent some *Saracens* before, to espie and relate how this might best be effected, who fell upon the scouts of *Chosroes*,

N n 2

and

The *Persians* overrun all *Egypt* and *Africa*.

The King of the *Avares* promises Peace.

Heraclius checked by the *Persian* General.

The *Persians* wonderfully insolent.

The King of the *Avares* perfidious.

Heraclius resolves to be active.

Vide Cedrenus ad Ann. 9. Heraclii.

Heraclius defeats the *Persians*.

and killing some of them, brought others to the Emperour; but some escaped, and carried news of *Heraclius* his approach, with which the King was amazed, and fled away as fast as his Horse could carry him.

He takes and re-
zeath *Gazacum*.

Heireth
through *Perfia*.

Cedrene.

Vide Bar.

Chofroes maketh
two Generals.

80. *Heraclius* still pursues and clears all before him, easily conquering whatever opposition was made, and takes the City of *Gazacum*, where was the Temple of the Sun, the Treasure of *Cræsus*, King of *Lydia*, and the Impollure of Coals. Entering the place, he found therein *Chofroes*, so represented, as if he fate in Heaven, with the Sun, Moon and Stars about him, which he worshipped as Gods; Angels which bore Sceptres encircling him. There were also Machines to be seen, by which he could imitate Rain, and counterfeit Thunder, all which, together with the Temple, and the whole City, the Emperour burnt to Ashes, and pursued the King to *Thebatman*, (where *Theophanes* placeth the Temple, and the other superstitious things now mentioned) and so as far as to the Straits of *Media*, destroying many Towns, and wasting all places through which he passed. But now he must think of Winter, which drew nigh, and his Souldiers must be provided for. Three days he set apart to implore the Counsel and Direction of Almighty God, and opening the Gospels, as the manner was, he thought it was enjoined him to winter in *Albania*. In his retreat with much booty he was in disadvantageous places way-layed, and galled sometimes by the Enemy but still came off with the better. He was most distressed with Frost, and hard weather, which moved him to such compassion toward his Prisoners, of which it's reported he had no fewer, than fifty thousand, that he set them all at liberty, which so affected them, that weeping for joy, they prayed he might not be onely theirs, but the Deliverer of all *Perfia* from the Destroyer of the World, the bloody *Chofroes*.

81. For the year following, which was the fourteenth of the Reign of *Heraclius*, *Chofroes* made one *Sarablacas* (or *Sarablanças*) and *Sarbazanes* his Generals, ordering them with joint force to set upon the Emperour, who with such success as could not be paralleld, and indeed prodigious, if the Fortune of his Predecessours, in reference to the Crown of *Perfia*, be considered, had born the Roman Eagle displayed throughout his Dominions. To *Sarablacas* he delivered the Flower of his Army, called *Chofroites*, and *Perozites*, and sent him against the Emperour into *Albania*, who was no whit discouraged at it, but desired to fight him e'er *Sarbanazas* could join with him. But *Sarablacas* durst not fight, but seized on such places as were convenient to infect him as he passed into *Perfia*. And when Spring came on, and he could get Provisions for his Army, away the Emperour marched, but his Men, weary with Travel, and fearfull out of the apprehension they had of the difficulty of the Enterprize, began to mutiny, the *Lazians* and *Abasgians* especially, who refused to march any farther. But as here they made delays, and quarrelled with the tediousness of their Journey, *Sarbazanes* came up, and was almost ready to join with *Sarablacas*, which convinced the Roman Souldiers of their folly, and how by their delay they were like to draw at once two Enemies upon their backs in the room of one, they come therefore, and with Tears beg pardon of the Emperour, casting themselves at his Feet, and desiring that they might be led against the Enemy, left their delay, joined with their deserts, should bring them to most certain Ruine. It hapned however very well, that *Sarbazanes* pursuing his orders, would not venture to engage, till he could join his Troops with those of *Sarablacas*, whom *Heraclius*, having encouraged his Men, indeavoured by all means to fight, but could not provoke him to a Battel, and therefore leaving both these Captains, he led on after *Chofroes*. Now do two Romans run away to the *Persians*, and persuade them, that the cause of the haste made by *Heraclius*, was mere fear he had of engaging, and at the same time comes news, that *Sais*, another of the *Persian* Captains, was at hand with a very considerable force.

Heraclius de-
feats them.

82. Hereupon the other two Captains resolve to engage the Romans, left a Victory to them undoubted should be taken out of their hands. *Heraclius*, when he perceived them incamped near to him, and that early the next morning they intended to fight, removed farther in the night, till he came to a place very convenient for him to engage on, which receds of his, trusting to the story of the Fugitives, they counted flight, and fell tumultuously upon him, as one running away, and this mistake of theirs he managed to such advantage, that he defeated them, killing many, and amongst the rest *Sarablacas*. Yet notwithstanding, the *Persians*, by the coming of *Sais*, were encouraged, who joining with *Sarbanazas*, rallied the Troops lately disperfed, and struck no small terror into the Romans, whom they followed, marching through difficult, and almost unpassable, ways, into the Territories of the *Hunnes*. Now the *Lazians* and *Abasgians*, out of cowardly fear

fear deserted the Romans, and returned home, which once known, the Enemy with more courage and greater expedition pursued them, and it put *Heraclius* to some straits; but by Arguments drawn from Religion he again erected the dejected Spirits of his Men, putting them in mind, that though they should endure the utmost, and undergo Death it self, their Death would be the Death of Martyrs, and in regard they fought for the Reputation of their Faith, the safety of the Empire, and the preservation of their Brethren, as such they would be admired and honoured by all posterity. Having by these, and such like words, brought them into the same good humour as formerly, with great alacrity he put them into the order of battel, as also did the *Persian* Captains their Forces; yet in Battalia both Armies continued, without striking one stroke, from morning till night, which being come, *Heraclius* removed, and pursued his Voyage, having the Enemy at his heels, who, to prevent and encompass him, went something out of their way, and entangled themselves in the Fens and Marishes. By this means he got a safe and a quicker passage into *Perfermenia*, into which Countrey the *Persians* still pursued him, with this comfort, that there they could recruit themselves with additional Forces, and that, as they imagined, the Romans fled in great anxiety and fear.

Gen another
great Victory.

83. Yet Winter coming on, they resolved, after a fruitless pursuit, to return home, which being known to *Heraclius*, he purposed in the dead time of the night to fall upon them. He sent some select parties to storm the Castle, to the defence of which, upon the Alarm, they came in confusely, but all that came were cut off, scarcely one remaining to carry the tidings. *Sarbanazas* himself, naked as he was, leapt upon his Horse, and fled with full speed, leaving many Officers and Ladies, and indeed the Flower of the *Persian* Nobility, in the place, who got up to the tops of the Houses, and there would have fortified themselves, but he fetched them down, setting fire to the Buildings, and some he slew, others he burnt, and many he took, very few escaping his Hands, that had accompanied *Sarbanazas*, whose Arms were all found and taken, as his golden Buckler, his Sword, and Spear, his Girdle, set richly with Gems, and his neat and spruce Shoes. After this the Emperour scoured the Countrey of all Straglers, killing some, and taking others, which done, he resolved here to winter. The Year following he took the way that led by Mount *Taurus* into *Syria*, and after vast pains undergone in his passage, on the seventh day came to the River *Tigris*, and thence to the Cities of *Martyropolis* and *Amida*. Here he refreshed his Souldiers and Captives, and he sent Letters of his success to *Constantinople*, where the news was received with as great Joy as the thing required. But in the Spring *Sarbanazas*, to be revenged and redeem his Credit, moves against him, who, upon the news received, sends certain Troops to secure the Passages, through which he must march, and he himself goes another way, lying toward the East, by which he intends to find out and surprize his pursuing Enemy.

He pallish *Euphrates*.

Defeats the *Persians* that opposed him.

Chofroes engaged.

84. Having passed his Army over the River *Nymphius*, he came to *Euphrates*, over which a Bridge had been laid of Ropes and Wool, wrought together, which *Sarbanazas* had caused to be broken, and drawn all up to the other side. But *Heraclius* found out a Ford, and to the Amazement of all men passed over his Army in the Month of March, which having done, he subdued *Samastase*, and again passing over *Taurus*, came to *Germanicia*, and through *Adana* to the River. In the mean time *Sarabazas* pursues him, and when he had passed the River *Sanis*, and seized on the Bridge, and all the Forts belonging to it, pitched his Camp on the other side. The Roman Souldiers were so elevated with their success, that, contrary to the express command of the Emperour, they would venture over the Bridge tumultuously, and charge the Enemy, which brought them into great straits, and they had undoubtedly miscarried, but that the great Valour and Conduct of the Prince preserved them, who demeaned himself so in the battel, that his Enemies admired him, and under covert of the night thought best to retire. *Heraclius*, all being now clear, leads his Men to *Sebastea*, where, having crossed the River *Mays*, he resolved to winter. *Chofroes* hearing how his matters daily went down the wind, boiled with anger, and in a great rage took away the Wealth of all the Churches within his Dominions, and to vex *Heraclius*, compelled all Christians, that were his Subjects, to embrace the Herefie of the *Nestorians*.

85. Having been so many times ignominiously beaten, and forced to take his heels, he considered how unlike his fortune had been to that of his Predecessours, before whom the Romans had been wont most commonly to flie, and impatient of the disgrace, for the following year resolved to apply all his Force and Interest against *Heraclius*, into whose Territories, if he could transfer the War, he thought

Raizes a vast Army.

Theodoros beats Sais.

Constantinople besieged by the Avars.

The Siege wonderfully raised.

he should compel him to return home, and to doe his busines. He raised an Army out of all forts of Nations, he could compass, and out of all conditions of his own Subjects Slaves or free; the choicest of which he committed to the conduct of *Sais*, and added to them fifty thousand stout Souldiers out of *Sarbaras* his Army, whom he named the *Golden Company*. *Sais* thus furnished, he sent against *Heraclius*, and commanded *Sarbaras* with the rest of the Forces to march toward *Constantinople*, and in his way to draw the Western *Hunnes*, or *Avars* into society with him, and so in conjunction with the *Slavini* and *Gepidae*, to fall upon that City. *Heraclius* his Intelligence was so good, that he fully understood how his Plots were laid, and therefore divided his Army into three Parts, whereof one he sent to defend the City, the second he committed to the charge of *Theodoros* his Brother, with order to fight *Sais*, and he himself with the third invaded the Territories of the *Lazians*, endeavouring to procure Auxiliaries also from the *Eastern Turks*, called otherwise *Chazari*. *Theodoros* engaged and routed *Sais*, by help, as they report, from Heaven, a great storm of Hail sorely distressing the *Persians*, with which the *Romans*, were not at all incommoded. And *Sais* having received this notable defeat, as the custome is, with these Barbarous Eastern Nations, fell into the great displeasure of his Prince, and contracted from grief a mortal Difease, which having made an end of him, *Chofroes* tyrannized with several forts of Indignities over the dead Body.

86. In the mean time the *Chazari*, or *Turks*, break through the *Caspian Gates* into *Perfia*, and pierce as far as the Region of *Androeged*, under conduct of *Zeebelus*, who was next in dignity to *Chajams*. As they waited the whole Countrey, and roved up and down, *Heraclius* met them in his March from *Lazica*, and made an Alliance with them upon such Terms, as *Zeebelus* therewith satisfied, left his Son with the Emperour, and departed home. In the mean while *Sarbaras* sets upon *Chalcedon*, and the *Avars* flocking in great numbers out of *Thrace*, besieged straitly *Constantinople*, by Sea and Land, bringing many Vessels out of the *Danube*. But when they had besieged the City ten days, a wonderful thing hapned, which produced full as strange an effect. They thought they saw a Lady with a train of Eunuchs issue out of the Gate of *Blacherna*, which supposing to be the Wife of *Heraclius*, and that in the absence of her Husband she was coming to their General to treat of Peace, they made way for her, purposing to fall upon all such Souldiers as should follow after her. But finding that though she had passed the Trench, yet she came not towards the General's Tent, they began to pursue her, and followed her as far as the place called *The old Stone*, where when they had almost overtaken her, she suddenly disappeared; but the pursuers immediately fell on quarrelling amongst themselves, and from words came to mortal blows, which they laid on till Evening began to part them. The next day the Captain coming to inquire of the Cause, found that the most part of his Men were destroyed by their Fellows, and in great shame and discontent retired. Then did the Fleet also withdraw, and returning homewards, in the *Euxine Sea* was so distressed by Tempest, that few escaped. Yet would not *Sarbaras*, though he took the thing much to heart, raise his Siege from before *Chalcedon*; but there wintering, harassed all the Sea Coasts, and destroyed all the Towns adjoining.

87. In the mean time *Heraclius* having joined to him the *Turks*, entred *Perfia* in the Winter season, and terrified *Chofroes* exceedingly; but the *Turks* not enduring the sharpness of the weather, and frighted by the many Incursions and Skirmishes of the *Persians*, began to slip away, and at length all of them deserted the Emperour, and returned home, yet he, by religious Arguments, comforted his Men, and prepared to encounter *Razafes*, a Man of great Valour and Conduct, whom *Chofroes* had made General of all the Forces he could raise. Having wasted all with fire and Sword in his way, in the month of *October* he entered the Countrey called *Chamaitha*, where he refreshed his Army seven days. *Razafes* followed him, but by reason that the *Romans* destroyed all things as they went along, his Men were much distressed for want of Victuals. On the first of *December* the Emperour, having crossed the River *Zaba*, fate down not far from *Ninive*, and *Razafes* was instantly at his Heels. The Emperour sent out *Boanas*, his prime Officer, with a choice Party of Men, who light upon the Band or Standard of the *Persians*, and having killed all about it but six and Twenty, brought those away Prisoners, with the Head of their Leader, and, together with his Dagger of massy Gold, they took the Armourbearer of *Razafes*. He told *Heraclius*, that *Razafes* was resolved to fight, and that three thousand fresh Men were ordered him by *Chofroes*, but were not yet arrived, which made him resolve to engage e'er these succours should join with the rest of the Army. He himself shewed the

ο δ' αὖτε Βίαν
δύω δ' ἑπ' ἱπ-
ποῖς, ἑρ. Co-
δρεως ad Ann.
17 Heraclii.

Heraclius obtains another great Victory.

most alacrity to fight, killing three of the *Persian* Officers with his own hand, one after another, and a bloody Battel it was, lasting from morning to night, wherein fell *Razafes*, with almost all his fellow Commanders, and the greatest part of the Souldiers; but of the *Romans* onely fifty. *Razafes* his Body was found, with a Shield and Armour, all of massy Gold.

88. The Emperour, to make use of the terror which this Victory struck into the mind of *Chofroes*, presently led against him, intending, if possible, to find him out, or force him to recall his Forces from the Parts about *Constantinople*. Passing over the Bridges of *Zaba* the less, he came to the Palace of *Tesdemon*, and there kept his Christmas. Hence he marched to another House of *Chofroes*, called *Rusa*, which he demolished, and passed on to another, known by the name of *Beclam*, where he found a great number of all sorts of Beasts, which he distributed to his followers. Here by some fugitive *Armenians* he understood that *Chofroes*, with all his Elephants and his Forces, staid at *Dyslagarda*, another of his Mansions, where he expected the coming of the rest of his Men. Thither therefore he made his way, burning and killing all in his passage, and coming to the place, there found the several Standards which at divers times had been taken from the *Romans*, with abundance of Spices, Hangings richly wrought, and much Silk, whereof as much as could not be brought away he caused to be burnt. Hither repaired to him many Captives taken from *Edessa*, *Alexandria*, and out of other Nations. All the pleasant Houses of *Chofroes*, of which some were admirable for Beauty, and rich Furniture, he burnt to the ground, to let him feel, as he said, what he did when he destroyed the *Roman* Cities. The King, e'er he came to *Dyslagarda*, stole secretly away, with his Wives and Children, having broken an hole in the Wall, and he who formerly in an intire day could not make a Journey of five miles, now could travell five and twenty, and having passed beyond *Ctesiphon*, and the River *Tigris*, shut up himself, with his Wife and three Daughters, in a certain Castle.

89. While here resides, some *Persians* calumniate *Sarbarus*, or *Sarbaras*, to him, as if he held intelligence with the *Romans*, whereupon he sends to *Cardarichas*, his Colleague, then lying before *Chalcedon*, that he should kill *Sarbarus*, and return with the Army into *Perfia*. He that carried the Letter was intercepted by the *Romans*, upon the Borders of *Galatia*, and brought before the Emperour's Son at *Constantinople*, who sends for *Sarbarus*, and shews him the Letter, with which he was so concerned, as to make Peace with him and the Patriarch, and puts into the Letter of *Chofroes*, that with him four hundred other Officers of the Army should be killed. Then calls he *Cardarichas*, and all the Armies together, and reading the Letter, demands if they thought it convenient that all those persons should be slain, whereat they were all enraged, and renouncing *Chofroes*, made Peace on that condition, that they might return home without impediment. About the same time *Heraclius* wrote to *Chofroes*, and offered him Peace, which he refused, and thereby increased the hatred his Subjects had already conceived against him. He levies another Army, which he commands to join with the remainder of *Razafes* his Troops, and hovering about the River *Narba*, to break down the Bridge as soon as *Heraclius* should have passed over. The Emperour hereof advertised, returned to the Region called *Siazur*, which he spoiled and burnt, and here *Gundusfundus*, who had served under *Sarbarus*, as a Tribune, with many others, join themselves to him. He acquaints him that *Chofroes* had determined to crown King his youngest Son *Merdasa*, which *Siroes* his eldest opposed with all his vigour, and had procured to join with him two and twenty *Satrapæ*, with an infinite multitude of Men, which now conspired to make an end of *Chofroes*, and if that could not be done, all of them would revolt to the *Romans*. *Heraclius* approving the design, sends to *Siroes*, and advises him to let all the *Romans* they had at liberty, and lead them against his Father, which he did, and easily took him, though he attempted to escape. Now was he bound in Iron Fetters, and having Givens of Iron also about his Neck, was cast into a Dungeon, and fed onely with Bread and Water. *Siroes* sent the Noblemen to scoff at him, and spit in his Face, and having killed all his Sons in his sight, caused him, after fifteen days, to be shot to death.

Chofroes taken and killed by his Son Siroes.

90. This end had Paricide, Insolence and Ingratitude, by the Hand of him who ought least to have done it, though he revenged the death of his Grandfather, after that *Heraclius* had waged War against the Tyrant with miraculous success, the space of six years. *Siroes* presently sent to the Emperour, to give him notice how matters stood, made a perpetual Peace, and set at liberty all Prisoners, together with *Zacharias* the Patriarch of *Jerusalem*, and the wood of the Cross taken out of that City. By virtue also of this Peace the *Roman* Provinces, on which the *Persians*

Heraclius returns in triumph after his wonderful performances.

flms had lately seized, were restored to the Empire, as all Syria, both the upper and lower, the Garrisons being drawn out of the Cities. These things done, Heraclius returned to Constantinople in triumph, and a triumph he deserved, equal to those of the greatest Captains, having recovered the Eastern parts of the Empire, and restored the poor distressed People to their ancient Liberty, burnt for many Cities, wasted for many Countries in the Enemies Dominions, fully revenged upon that Infidel Nation all the Indignities offered to the Romans, stained the Glory of Chosroes his Family, by causing him basely to run away, by burning his Palaces, and driving his Subjects into Rebellion, and that at such a time when the Empire was in a very low and sad condition, its Treasure exhausted, and its Militia decayed, and quite out of order. The People hearing of his approach, ran out of the City with a greedy desire of seeing him. There wanted no Prayers, Praises, Acclamations and Welcomings, they carried out Olive branches in their Hands, with Lamps, which they almost extinguished with their Tears of Joy. His Son Constantius, accompanied with the Patriarch, fell at his feet, and embracing him, they both watered the ground out of the like Fountains.

He makes a Progress to Jerusalem.

91. The following year, which was the nineteenth of his Reign, in the beginning of the Spring, he made a Progress to Jerusalem, where he restored Zacharias Patriarch, and the Wood of the Cross he deposited in its former place. By an Edict he forbade the Jews to come within three Miles of the City, and having finished his Devotions, made a farther Progress into the Eastern Provinces. Coming to Hierapolis in Phrygia, he had the news of the Death of Siroes, the new King of Persia, who was now lerved in the same fort as he had dealt with his Father, being slain by Sarbaras the General, or Adefar his own Son, who having enjoyed the Title but seven Months, received the same measure himself from Barrazas, who continued King for eight months longer. Him the Persians slew, and preferred to the Throne Barama, the Daughter of Chosroes, some say Barachanes, his Son, who having reigned but seven Months, was succeeded by Hormisdas, whom the Saracens drove out of Persia, and subjected this Kingdom to the Arabians, under whom it continues at this day, saith Cedrenus. Thus in a short time was brought to ruin a Monarchy which so lately had been the most potent and dreadful of all others; and by the same course of mutability, the same wheel of Fortune elevated the Roman Empire, which so lately had lain in the lowest condition to an high pitch of its ancient Glory. Heraclius was now become so famous in all Countries, that several Kings, as well from the West as the East, sent to congratulate his good Success, and join in Confederacy with him. As the King of the Indians, who sent him a rich Present of Pearl and precious Stones, and Dagebert the Son of Chlotharius, King of the Franks. But see still the vicissitude of humane Affairs: Heraclius now at ease and leisure, having subdued his Enemies abroad, affixes in a religious Civil War at home, and makes himself a great Party amongst Churchmen, embracing the Heresie of the Monothelites. As a punishment for this grievous crime (as some, who take upon them to pry into the secret Providence of God, do assert) the Empire which had lately been restored to so high a pitch of greatness and reputation, began now again to fall to decay, and so by little and little was diminished, till at last it came to utter ruin, and into the hands of Barbarians. So that Heraclius is blamed, as in a great measure the Author of this mischief, and is farther taxed upon this account, that buying himself with Opinions and Speculations not proper for him, he took no notice of the greatest mischief which ever rose in the East, the greatest Plague that ever happened to Christendom, which he might have prevented, and crushed as a Cockatrice in the very Egg. For now at this time Mahomet was Captain of the Saracens, whose Power he much advanced, and instituted into them the Venome of a new Religion. He died in the one and twentieth year of Heraclius his Reign.

Heraclius courted by Foreign Princes.

Busies himself with points of Religion, and suffers Mahomet to rise.

92. He left for his Successour Eubachar his Kinsman, who taking occasion at the low Estate to which the Persian Kingdom was brought, advanced as much as he could the Affairs of the Saracens. But he continued not long in his place, dying in the four and twentieth year of Heraclius, after he had reigned, or been Ameras, as their term was, two years and an half, and was succeeded by Humar, or Haumaf, who, to improve what Mahomet and Eubachar had begun, took Bosra, with several other Cities, and proceeded in his Conquests as far as Gabitha. Against him Theodorus, the Emperour's Brother, made head, but was defeated, and forced to fly to Heraclius, then lying at Edessa, who made Boanes, or Babanes, or Habanes, General in his stead, and besides this, sent Theodorus Sacellarius with an Army against the Arabians. Being come as far as Emesa, there the Ameras meets him

He is frightened from Jerusalem by the Saracens who beat his Officers.

him with a multitude of his Saracens, and incamps himself upon the River Bardanisius, the Rumour of which frightened the Emperour so that taking away the Relicks from Jerusalem, he returned to Constantinople, sending Orders to Boanes to remove from Damascus to Edessa, to the Assistance of Theodorus; whose Army consisted of forty thousand Men. Yet it seems he obeyed not the Order, being forced to entertain more provident Councils, for instead of assisting Theodorus, he had need of calling him to his aid; the Saracens in the Spring following, in infinite multitudes flocking to Damascus. Theodorus was ready at his call, but engaging with the Arabians, was worsted and forced to retire, after which the Army under the command of Boanes, fell into a Mutiny, and renouncing Heraclius, chose him for their Emperour. Hereupon Theodorus Sacellanus withdrew the Forces under his Command, and the Saracens rid of him were in better Capacity to grapple with Boanes, whom they destroyed with all his Men. For when they engaged, a strong Wind blew all the Dust into the Faces of the Romans, which made them unfit for fight, and to fly to the River Tinnocbie, into which they were driven Headlong by the Enemy, and all perished either in the Water, or by the Sword. Then did the Saracens easily take Damascus with the Regions of Phenicia, which now they began to inhabit, and shortly after, with ease subdued Egypt, which they also planted with their own Men. Here we are like to meet with a warlike Nation, which for a long time is to act a most considerable part upon the stage of the World. We shall therefore make a pause, and inquire who this Saracen is, and whence he is defended; for all mens Eyes are now upon him, and all the News is concerning his Motions, and the dreadful Effects of his Victorious Arms.

And take Damascus with the Regions of Phenicia.

The Original of the Saracens, which Name was not ancient.

Arabians.

Saracens and Hagarens the same.

Ismaelites.

See Dr. Jackson upon the Creed, B. 1. Ch. 25.

Their Seat.

The Seat of the Hagarens, mentioned in Scripture.

Strabo Arabes the general Name of Ismael's Posterity.

93. It's evident out of Ammianus Marcellinus, that the Name of Saracens was not ancient. The first certain mention of it is in Ptolemy; who describes a Region called Saracen in the West part of Ismael's Territories, as they are set out by Moses, and a People called Saraceni in Arabia Felix, near to the Mountains which the Scenitæ inhabited. That they were Arabians, is most evident out of the Greek Annals, which call them indifferently by the one, and the other Name: But farther, in all the Ecclesiastick Writers the Names of Saracens or Hagarens are used promiscuously, as Equivalent, and the Saracens to the modern Jews of Spain are best known, by that of Ismaelites. The Reader therefore is to consider, that of Abraham's base Seed, some in Scripture are denominated from their Mother, known by the Name of Hagarens; others from her Son their Father, are called Ismaelites, and some take their Names from his Sons, as Kedar, Duma, Naphtali, Ilmur and others, although not any People in Scripture are named from Nabathioth, his eldest Son, which adds Probability to their Opinion, who think such as the Heathen called Nabathæi, were in Scripture called Ismaelites as sole Heirs to their first Progenitour's Name. Their feat was in the best part of Arabia Patraea, near to the Midianites, as is probable from the story of Joseph; who in one place is said to be sold unto the Ismaelites, in another to the Midianites, these being near Neighbours it seems, and Co-partners in Traffick. And this is observable, that as the Nabathæans are not mentioned in Scripture, so neither do we find the Name of Ismael in any ancient Heathen Writers: All of them it's likely being of Strabo's mind, who professeth that he omits the Names of the Arabians; partly, because in his time they were out of use, and partly, for the Harshness of their Pronunciation; to which Exception the Name of Ismael was very obnoxious.

94. The feat of such, as by the Scripture are called Hagarens, was in the Desert of Arabia, betwixt Gilead and Euphrates: They were by the Heathen called Agreæ (a Word more Consonant to their Hebrew name אַגְרֵי, than the Latine Agreæ Hagareni) and are rightly placed by Ptolemy in Arabia Deserta, and by Strabo in that very place which the Scripture makes the Eastern bounds of Ismael's Posterity; their Metropolis in latter times, being Atra or Atre, and the Inhabitants thereof called Atreni, unless both Dion Cassius and Herodian, either mistook, or have been mistaken, to have written Atreni for Agreni. But to omit particular Denominations, Ismael's Posterity was best known to ancient Heathens, from the manner of their Habitation in Tents; for, Scenitæ Arabes, was a Name general and Equivalent to his Race, unless perhaps the Midianites, or Idumeans might share with them in this Name, as they were partakers of their Quality, which yet is not so to be appropriated unto either, as if they had neither House nor Town, for as the Tents of Kedar are most famous in Scripture, so in it, The Cities of the Wilderness are also mentioned, and The Towns that Kedar doth inhabit; nay, in the very times of Moses, They were named by their Towns, and, By their Castles. There were twelve Princes of their Nations, or twelve Heads of so many several Houses, or Tribes

L. 23.

Cedrenus & Zonaras possunt esse Hagarens dicunt.

Lib. 16.

Vide 1 Chron. 5. 2. 10.

Id. 42. 11.

Gen. 25. 16.

Their Phylarchi.

Tribes or Clans, which kind of Government continued amongst the *Saracens* for four hundred years after Christ, or more. For as *Moses* Writes of such Princes, or Heads of Tribes, so of Heathen Writers, the Greek make mention of *Φυλάρχοι* *Agēsaw*, *Sextus Rufus*, the Latins of *Phylarchi Arabum*, and the later Writers of *Phylarchi Saracenorum*, *Jordanes*, *Ammianus*.

95. But to give a more clear Proof, whence these *Saracens* descended, these two things are evident. First, that the *Saracens* were the same People with the *Arabes Scenitæ*. Secondly, that the *Scenitæ Arabes* were descended of *Ismael*. The first is expressly affirmed by *Ammianus Marcellinus*, and every one must acknowledge, that compares the ancient and later *Romans* together, that Write the very same stories: And the second sufficiently appears, from the Identity of the Habitation, Condition and Quality of the *Scenitæ* and *Ismaelites*. It's clear enough from *Pliny* and *Strabo*, that the *Scenitæ Arabes* were seated Eastward about the River *Euphrates*, troublesome Neighbours to *Chaldea* and *Mesopotamia*, some part whereof in *Strabo's* time they inhabited. On the West they bordered upon *Egypt* and *Ethiopia*, for *Ammianus* describing the situation of *Egypt*, saith; It bordered on the East upon the *Cataracts* of Nile, and the *Scenitæ Arabes* whom now we call *Saracens*. And in another place, describing the situation of the *Saracens*, he makes *Affrica* their Border on the East; and the Confines of *Blemys*, and the *Cataracts of Nile* on the West. Now *Moses* saith expressly, that, *The Sons of Ismael dwell from Shur, which is towards Egypt, unto Havilah, which is toward Aihur, in the way from Egypt thither*. The Land of *Havilah*, or rather (according to the Orthography of the Hebrew) *Charilah* famous in Scripture for Gold, retained the same Name in *Strabo's* time, the Inhabitants whereof called by him *Chauletæans*, were next Neighbours to the *Hagareans*, or *Agræi*, whose Country *Severus* suspected to have had good store of Gold.

As also their Qualities.

96. For their Condition and Qualities, *Ismael*, as *Moses* tells us, was begotten of *Hagar* an *Egyptian* Hircling. And the Marriage of *Saracen* Women in *Ammianus* his time was Mercenary, and upon Compact for a time. *Hagar* conceived *Ismael* in *Abraham's* House, but ready to bring him forth in the Wilderness; whither he and the werefent again, after her return to her Mistress. And the *Saracen* Women in *Ammianus* his time married in one place, bare Children in another, and brought them up in third far distant; never permitted to live in rest, and in shew of Matrimony, they brought a Spear and a Tent for their Dowry; being a perfect Emblem of their Mercenary roving Life, for these by Covenant they might take with them at the end of their Service, and be packing from their Masters, to seek their Food in the Wilderness, as their Mother *Hagar* did before them. As *Ismael* in the Wilderness, so the *Scenitæ Arabes* were pinched with want of Water, their best Drink in *Arabia*, as *Strabo* Writes, and after they had enlarged their bounds, set them by *Moses* even in *Mesopotamia* it self, they were Confined to dry and barren places. *Moses*, describing the manner of *Ismael's* Life, saith, he was an Archer in the Wilderness. *Ammianus* affirms, he knew many of the *Saracens* in his time, that neither knew the use of Wine nor Corn. None of them ever set his hand to the Plough, but got their living for the most part by the Bow, having indeed been famous for Artillery throughout all their Generations. As they were, such was their meat, wild Fleh or Venison, Herbs or Milk, or such wild Fowl, as they could catch in the Wilderness: For their wildness he compares them to Kites, ready to espye a prey, but untame withall, that they would not stay by it, as Crows, or other ravenous Birds do by Carrion; but presently flew with what they had caught to their Nests. So notoriously was their Wildness incorporated into their Nature, that the more tame they grew, the less Right they seemed to have to their Names, as *Strabo* intimates.

And resembling Abraham in many things.

97. And as they resembled *Ismael* and *Hagar* in their Conditions, so as fully *Abraham* in their Rites and Religion. *Ismael* was about thirteen years old, when God established his Covenant with *Abraham*, and for this reason was not Circumcised, till that year. And the *Saracens* to this day Circumcise not their Children before that time. *Abraham* erected Altars, and *Jacob* anointed the Stone in the place where God appeared to him. And the *Saracens* celebrated their Sacrifices unto a Stone, with Apish and Childish Ceremonies. God commanded *Moses* (Ignorant it seems of that Religious and decent Customs, which his Forefathers in like Cases used) to put off his Shoes when he was to tread on Holy Ground; which Rite was afterwards observed by the *Jews*, in their more solemn Vows: And the *Saracens* to this day have their *Nudipedalia Saracenicia*. *Abraham*, if *Josephus* may herein be credited from his sober Contemplation of the Heaven and the Stars, began to detest Idolatry, and to adore that Divine Providence,

Scenitæ Arabes, quos Saraceni phyllarchi appellavit, lib. 23.

Lib. 22.

Lib. 16. p. 765.

Synod. Nicæna. secund. Ab. 4. in Epist. Germani Episcopi, ad Thom. Episc. Constantinopol.

Vide Dr. Jackson ubi supra.

Gyaladus de Synb. Pythag.

Dr. Jackson.

Providence, by which these supposed Gods were guided. And the *Saracens* falling back to Idolatry, adored *Lucifer*, or the Morning Star. And some Conjecture that their Habitation in Tents, and wandering Course of Life was not continued throughout so many Generations, so much upon Necessity, as in Imitation of *Abraham's* using Tents; necessary in that time for him that would Travell throughout so many Countries, as he was forced to doe.

98. For these reasons therefore we may safely with *Dr. Jackson* conclude, that the *Saracens* were the Off-spring of *Ismael*; and the Names of *Saracens* and *Hagarens* being promiscuously used in Ecclesiastick Writers, it seems probable that that of *Hagarens* had sometime been common to all the Race of *Ismael*, and not appropriate to the *Agræi*, or such as the Scripture calls *Hagarites*, who after their good Success against *Trajan*, or *Severus* might propagate their Name to all the Sons of *Ismael*; as whole Nations take new Denominations from the Ring-leaders unto revolt. But as for the Name of *Saracen*, both *Sozomen* and *St. Hierome*, who lived not long after this People had assumed it, affirm without question, that they usurped it of *Sarab*, in hope to extinguish that note of Baſtardy imparted in their former Name of *Hagarens*: As Great mens Baſtards in few defects, attempt the changing of their Ignominious Coats. Whether this Ambition of theirs gave the first occasion, or the Fertility of the Soil of *Arabia Felix*, into which some of them transplanted themselves, as appears from *Ptolemy*, made this Colony scorn their former Name, as it would cause them to loath their ancient Seat, or whether given or taken upon other occasions, the whole Race, as well in *Arabia* the Desert, as elsewhere was willing to make a benefit of it, as an Argument to persuade the World they were free born and true Heirs of that Promise, from which the *Jews* were fallen. For *Mahomet* as all Writers agree, used this plausible Etymology, as a fair Colour to set off his foul Blaphemies, and the later *Saracens* in the siege of *Toratum*, which stood a Mile from *Tyre*, used this Name derived from *Sarab* as an Argument to perſwade their Legitimate descent from *Abraham*, for whose sake they hoped for Favour and Respect at the hands of Christians.

99. Now to speak something of the Estate of this People from their Original. It appears from the Prophet that Judgments were denounced against them from Almighty God, that the Glory of *Kedar* should fail, and the residue of the number of the strong Archers of the Sons of *Kedar* should be few. Yet as *St. Jerome* observes, they escaped the Rod of God's wrath, better than their Neighbours, by reason of their speedy removal from place to place, being never out of their dwelling, whilst they had Tents and Camels and Waſtes to range in. Afterwards they continued troublesome Neighbours to *Syria*, till it was annexed to the Roman Empire, by which the strength of these Archers was diminished, and the Reign of their *Phylarchi* cut short. Their Country was first brought into the form of a Province by *Trajan*, in whose time yet the *Hagarens* growing weary of subjection Revolted, and were never again, for what can be known, reduced into perfect Obedience, either to the *Romans* or to any other People. The deliverance of these *Agarens* from *Trajan* and *Severus*, both who besieged them in their own Persons, was wonderful and by some esteemed no otherwise than miraculous. As oft as the City *Dio*, lib. 68. was besieged, the Souldiers were annoyed with Lightnings, Thunders, Whirlwinds and Hail, affrighted and dazled with the apparitions of Rainbows; and Flies corrupted and spoiled their Meat, even while they did eat it. *Trajan* was forced to give over the Siege, which he had followed with danger of his Life, by coming within those Archers shot in viewing the City, and shortly after as if formerly he had fought with men, but now against God, he himself fell into a Disease whereof he Died.

100. About eighty years after, the Emperour *Severus* disdainng as *Trajan* had done before, that those *Armeni* should stand out still against the *Romans*, when all their Neighbours had yielded, set upon them with all the violence he could; and in the second Assault after much loss sustained, overthrew part of the City Wall. Now out of design, he caused the Retreat to be founded, hoping the besieged sensible of their Danger, would intreat for Peace and Liberty, which he resolved not to grant, but upon condition they would discover the hidden Treasure, supposed to be consecrated to the Sun. But they continued resolute an whole day, giving not the least Intimation of any Treaty for Peace, and the Souldiers were grown so discontented, that the *Europeans* before most resolute would not enter the breach, and the *Syrians* forced to undertake it, had a grievous Repulse, so as *Dio* observes, God Almighty delivered the City, recalling the Souldiers by *Severus* when they might

They take the Name of Saraceni from Sarab, because they would be thought free born.

Troublesome Neighbours to Syria.

Trajan's ill success against the Armeni.

Kranzius Hist. Saracenic. l. 7. c. 12.

have entred, and restraining *Severus* the second day by the backwardness of his men. Yet the Conquest seemed so easie, that one of the Captains so he might have but five hundred and fifty *European* Souldiers, would undertake to effect it, to which fair profer the Emperour in a distracted chafe, replied *where shall I have so many?* and so departed into *Palestine*. Such was the good fortune of the *Atreni* or *Hagarens*, who might now communicate their Name to the rest of their Brethren. But what change soever they made of their Name, their Nature they could not change, and the greater they grew in Power, the more exactly they fulfilled the Prophecy concerning *Ismael*, that he should be a wild Man, that his Hand should be against every man, and every man's hand against him.

101. For a long time they continued like forward, but poor Gamsters, not able to set at more than one at once, and that for no great Stake, without some to go halts with them, untill at length by their treacherous shuffling from side to side, and banding sometimes with one, and sometimes with another, as the Reader may remember they did in *Julian's* time, they durst set at all, and take *Asia*, *Europe* and *Africk* to task all at once, as we shall see hereafter. Sometimes they took part with *Mithridates*, and other Eastern Nations against *Lucullus* and *Pompey*, and yet were ready to joyn with *Pompey* against the Jews. Some of them were for the *Parthians* against the *Romans*, others for the *Romans* against the *Parthians*. Some for *Pelceminus Niger* against *Severus*, and others against *Pelceminus*; afterwards one while for the *Perfians*, and another while for the *Romans*, as in the times of *Constantius* and *Julian*, the later of whom they revered more than any Roman, yet not fastidied in their expectations revolted from him. Afterwards they served the *Romans* in their Wars against the *Goths*, and yet while the *Goths* and other Barbarous People grasp with the Eagle in the West, those *Harpies* pluck at her Train in the East, and not therewith content, take their flight toward the West, to snatch the prey out of the mouths of the other Buffards, as one words it, and beat them one after another from what they had seized in *Spain* and *Africk*, attempting the like in *Gall*, *Greece* and *Germany*, displuming the breasts, and oft-times ready to devour the very Heart, even *Italy* and *Rome* it self. But of these particularly hereafter, and thus much of their Original, and their ancient Estate now let us resume and prosecute the intermitted story of *Heraclius*.

102. When the *Saracens* were on their march toward *Egypt*, *Cyrus* the Bishop of *Alexandria* knowing their ravenous Disposition, made a bargain with them for two hundred thousand *Denarii* by the year to spare the Countrey. And the bargain was kept for three years, but in the mean time, the Bishop is accused for betraying the Gold of *Egypt* upon the Barbarians. The Emperour makes one *Manuel Prefectus Augustalis*, an *Armenian* by Birth, to whom when the Receivers of the *Saracens* came and demanded the money, he derided them saying, they should not find him a Priest as *Cyrus* was, destitute of Power, but to all points furnished to defend himself and not pay Tribute. This answer being reported to the *Saracens*, they presently armed themselves, took the way for *Egypt*, and by strong hand made themselves Masters of the Countrey, having beaten away the Prefect. The Emperour perceiving the mistake, sent *Cyrus* to the *Saracens* to take the business upon himself, and to offer to swear that for the time to come, the money should be duly paid; but they utterly refused to quit their new Conquests. And thus *Egypt* which had continued a principal member of the *Roman* Empire, ever since the days of *Augustus*, was rent from the Body by the Hands of the *Saracens*.

103. This rich and fertile Province did not satisfy them, but they must extend the power and effects of their Arms to all Quarters. The following year *Hasmer* invades *Palestine*, and besieges the City of *Jerusalem*, which after two years was surrendered to him. In the mean time he sends another Army into *Syria*, all which it Conquered, though *Sergius* a *Roman* Captain from *Casarea* made some opposition, who in the very first Engagement lost his Life. This short account have we from the Greek Annals, of that which deserved to have been more fully prosecuted, for the Subject must needs have been very various, where so great matters were atcheived, nor less than the subduing of whole Nations, alterations of Governments, and overturnings of the whole State and frame of things. But we must be content with these small Notes, all larger Narrations having perished, and satisfy our selves in this, that now the *Saracens* domineered over the East, and made nothing of possessing the *Roman* Provinces. For in the following year, being the twenty eighth of *Heraclius*, having already subdued all *Syria*, they took *Antioch* the Metropolis of the East, which they and their Posterity held four hundred and

With whom they joined of old.

The *Saracens* make themselves Masters of *Egypt*.

Take *Jerusalem* and all *Syria*.

With *Antioch*.

and forty years, till the thousand and ninety eighth year of our Lord. In the mean time the *Perfians* quarrel amongst themselves, and prepare a way for the Conquest also of their Countrey. The King of the *Indians*, to whom it's likely the news of the success of the *Saracens* was not yet come, held *Heraclius* still in such esteem for his management of his Wars against the *Perfians*, that he sends to complement him, and made him very rich presents of Jewels. This something satisfies and diverts the Emperour, who employs himself in combats of the Tongue and Pen, about questions of Religion, when it would much more have become him to have spent his time in saving the Provinces committed to his Charge. About this time he had another Son born whom he named *David*, and was made a Grand-Father by a Son born to his Eldest Son *Constantine* on the same day, which Son was called after him *Heraclius*.

104. Yet to repress the violence of the *Saracens*, was sent *Theodorus* one of the Bedchamber, who had good success in one Battel, wherein a great multitude was slain, and in the Crowd their *Ameras* or Princes who had joyned their Forces to encounter him. Notwithstanding an ill fate pressed upon the *Romans*, who having this advantage in Battel, lost it again by covetousness and folly. For there were some *Arabians* that lived on the Borders, and had a Pension from the Emperour to keep the passages of the Wilderness, who now demanding their money were paid only with bad Language, whereupon they joyned themselves with their Countrey-men, whom they conducted into the rich Countrey about *Gaza*, whence an inlet lay into the Desert near to Mount *Sina*. This they plundered and wasted at their pleasure, and *Sergius* from *Casarea* in *Palestine* with an inconsiderable party falling upon them, he perished with all his followers. *Jadus* had better fortune upon the Borders of *Perfia*, where he got *Edeffa* by fair means, *Constantia* and *Daras* by force, and so Conquered all *Mesopotamia*. This was but a Preface to that War which the year following fell upon *Perfia*, when the *Saracens* invaded it, and utterly subdued it under themselves, *Hormisdas* being run away, and left off all Ensigns of Majesty: So fickle and inconstant are the greatest things in this World. This Kingdom was a very few years agoe so mighty, that it in a manner gave Laws to the *Roman* Empire. By a sudden change of Fortune, *Heraclius* invades and harafes it at his pleasure, and then is it torn in pieces by intestine differences, which makes it weak and unable to oppose any foreign Power. *Heraclius* as if he had done enough for a whole Age, sits down and buies his Head with speculations of Divinity. A Nation before inconsiderable rises up, and as a torrent overruns *Egypt*, *Syria* and other Provinces of the Empire, and as if it only came, saw, and then overcame, at one cast wins such stakes as other Gamsters could not compass in many Ages.

105. *Heraclius* lives to see things come to this pass, and then as unwilling to expect the Conclusion and the fate of his other Provinces, departs this World in the month of *March* of a Dropsie, which was accompanied with strange and troublesome Symptoms. Such an alteration there was in the parts of his Body, that he could not make water but it would fly up to his face, which our Writers account to have happened as a Judgment to him for having incestuously Married his own Niece. He Reigned thirty years and ten months with various success, but that his Reign was not more happy, he himself seems to have been in fault, not making use in his latter days of his own Abilities, which were many and large enough, as appears from his Conduct in the *Perfian* War.

Theodorus defeats the *Saracens*.

But covetousness overbalanceth the Victory.

And the *Saracens* like a Torrent overrun *Perfia* and the *Roman* Provinces.

Heraclius dies.

C H A P. IV.

*From the Death of Heraclius to the Deposing of Irene, and the Promotion of Nicephorus.**The space of an hundred and sixty Years.*

1. **T**O Heraclius succeeded his Son *Constantine*, a Man of a weak and sickly Constitution, perhaps through the practices of *Martina* his Step-Mother, who, to prefer her own Son *Heraclonas*, plotted with *Pyrrhus*, the Patriarch, to rid him out of the way, and poisoned him after he had reigned but four Months. This done, *Heraclonas*, and his Mother, usurp the Government, and enjoy their ill gotten Power for six Months, but then the Senate assume their courage, and deprive them of the Sovereignty; his Nose they cut off, and cut her Tongue out of her Head, and so banish them from the City. *Pyrrhus* also is deposed, and another Patriarch chosen in his stead. To the Throne they advance *Constans*, the Son of *Constantine*, and Grandson of *Heraclius*, who, as he had reason, thanked the Senators for doing Justice upon the Murderers of his Father, and rewarded them liberally. The beginning of his Reign is not characterized with the note of any eminent Action, matter being either wanting, or the Greek Annalists very careless, who onely tell us, that in his second Year *Haumar* began to build a Temple at *Jerusalem*, (with what success we shall see in its proper place,) and in his Third there was an Eclipse of the Sun; in his Sixth happened great Tempests, which overturned great Trees, and, as it seems, were as a Prologue to those great Concessions which invaded *Africk*. For this Year the *Saracens* got it also into their hands, and settled it in way of a Province, ordaining what, and how, Tributes should be paid, after they had thence beaten *Gregory*, who had seized on the Government of that Country. And as if Fortune had now wholly delivered her self up into their Power, the Year following *Mabias*, one of their Captains, with a great Fleet, invaded *Cyprus*, all which he took, with the City *Constantia*; and following on his victorious course, he did as much in the next Year by *Aradus*, which he dismantled and burnt, wasting the Island, so that for a long time after it remained without Inhabitant. The Year that follows is remarkable for nothing, except you will take notice, and believe that it rained dust.

2. But that which follows, being the twelfth of *Constans*, is famous for *Mabias* (or *Maburias*) his Conquest of *Rhodes*, and his destroying there the famous Coloss of the Sun, full thirteen hundred and sixty years after the founding of it by *Laches*. It was an hundred twenty six foot high, and stood astride over the Haven, so that Ships sailed betwixt its Legs, but though it was one of the Seven Wonders of the World, as nothing is so wonderfull, but time will at last put a period to it, being thrown down by an Earthquake it was now broken in pieces by the *Saracens*, and sold to a Jewish Merchant of *Emisa*, who with the Metal of it loaded nine hundred Camels. While *Mabias* thus employed himself in the Island of *Rhodes*, his Countrey men invaded *Armenia*, and wasted it far and wide, the Emperor all this while being fast asleep, and as if he had received some secret Instructions from his Grandfather, nourishing Contentions in the Church, while he seemed to have Peace with those that invaded his Territories at their pleasure, and robbed him of no less than whole Provinces at once. *Mabias* seeing and wondering at his department, thought it might be worth his pains to make for *Constantinople* it self, it being possible he might find him as unprovided there, as he was negligent in the defence of the Provinces, for this purpose he commanded a strong Fleet to be rigged at *Tripolis* in *Phoenicia*. And he might probably enough have done something remarkable, had not the Zeal of two Brothers, both Christians, and the Sons of a certain Trumpeter, who then resided at *Tripolis*, prevented him. For going to the Common Prison, they made a shift to set at liberty many Christian Captives, whom they persuaded then to set upon

Constantine succeeds, and is quickly made away.

The Saracens conquer Africa.

Cyprus and Aradus.

Rhodes.

Mabias his purpose of attacking Constantinople prevented.

Constantinople taken by the Saracens.

Κόλλος του ήλίου καταστράφηκε.

Descriptio ita se habuit. Τό το Πύλον αὐτοῦν ὀνομαζόμενον ὁ ἄνθρωπος Ἰάκωβος ἄρχιεπίσκοπος ἦν ὁ κατασκευαστής.

Ex Colossi Incidit Chalchepherus dicitur, se fuisse Constantinopolim.

upon the *Ameras*, or Governour of the place, and killing him to destroy the Ships, and all Naval Preparations, which they effected, and escaped by Ship into the Emperor's Dominions.

3. *Mabias* thus defeated of his purpose for attacking *Constantinople*, went against *Cæsarea* in *Palestine*, giving order to one *Abulaurus*, or *Abulathar*, to repair the Fleet, who obeyed his Commands, and sailing to *Phenice* in *Lycia*, there found the *Roman* Navy with *Constans* the Emperor. They engaged, and the *Romans* received a notable defeat. *Constans* was glad to shift Clothes with one of his followers, and was conveyed into another Vessel by one of the Trumpeter's Sons, who fought stoutly, and lost his Life in the Admiral Gally. Being got safe to *Constantinople*, he resolved the next Year to do some thing which might repair his Credit, and made an expedition against the *Sclavini*, of whom he took and subdued many, and so returned home. In the mean time the *Saracens*, under Command of *Mabias* fall into a mutiny, so great that it brought him, in a manner, upon his Knees to the Emperor, of whom he begged Peace, on Condition, that the *Arabians* should pay him a Tribute of a thousand *Nummi* by the day, with an Horie and a Slave. But *Constans*, it seems, wonderfully affected with his late success against the *Sclavini*, thought of giving what Laws he himself pleased, and refused his Terms, as of small value, in comparison of the mischief done by these *Arabians* to the Empire. But what respect to the Empire soever he pretended, good Nature and Kindness could not be Principles on which he moved. For shortly after he caught to be murdered *Theodorus*, his own Brother, whom he had commanded to be ordained Deacon, and from whose Hands he had received the sacred Cup. But see how he is tormented by his own Conscience, and caused to cast off all thoughts of Empire, and every other thing, of what consequence soever. He dreams that he sees his murdered Brother standing before him, with a Cup of Blood in his Hand, commanding him to take and drink it. Being perpetually pursued and terrified with these Dreams, he resolves to quit *Constantinople*, and go into *Sicily*. He leaves his Wife and three Sons behind him, and having set sail in a Pinnace, turns back in disdain, spits at the City, his Royal Chamber, and the Seat of the Empire.

Constans defeats the Sclavini.

Cauleth his Brother to be murdered.

Goeth into Sicily.

Some say to Rome.

Feed the Saracens takes Amorium.

Which is recovered.

Saporius rebels.

4. From *Anastasius*, the *Vatican* Library-Keeper we are assured that he took *Rome* *Vide Baronium*. In his way, where he visited the Churches, being met by *Vitalianus* the Bishop, and his Clergy, five miles from the City. But the change of place could not divert the pangs of his Conscience, his Dreams of his Brother still pursue him, yet to *Constantinople* would he not return, where he was hated by the People for cleaving with so much earnestness to the Heresie of the *Monothelites*. He resolves to retranslate the Seat of the Empire to *Rome*, and for that purpose sends for his Wife and Children; but the Citizens of *Constantinople* having smelt out the Design, would not permit them to remove. While *Constans* spends his time by night with Terrours, and by day with such Diversions as he can find, *Mabias*, who had formerly offered to pay tribute, being now rid of *Halys* his Emulator, and reigning alone, began to scorn the submissive posture he had lately owned, and now bore himself as resolutely and goodly as ever. He sent *Izod* his Son into the *Roman* Territories, who proceeded as far as *Chalcedon*, and taking *Amorium*, a City of *Phrygia*, therein left a strong Garrison, and with much spoil departed home. But when Winter approached, the Emperor sent *Andreas*, one of his Chamber, who by night got over the Walls into *Amorium*, and put all the Garrison to the Sword. *Constans* having in vain attempted to dispossess the *Lombards* of *Italy*, was very troublesome to the Inhabitants of *Calabria*, *Sicily*, *Africk* and *Sardinia*, on whom he laid such heavy burthens, as formerly they had never known, and besides that, robbed the Churches of their sacred Vessels and Furniture. While he exceeds in those Acts of Violence and Sacrilege, *Saporius*, the Governour of *Armenia*, rebels, and sends to the King of the *Saracens* for aid, one *Sergius*, the *Magister Militum*, who at the Court of *Mabias*, which was then at *Damascus*, met with *Andreas*, the Bed-chamber-man, whom the Emperor had sent on the like Errand.

5. The *Saracen* gave audience to them both. *Sergius* insulted so much over the other, and promised such vast things, that he drew him to his party, and *Andrew* was sent away in discontent, who yet affirmed, that the *Roman* Emperor such affronted would betake himself to Almighty God, in whom he had good Cause to put his trust. And that he spoke nothing but what was true, the event proved. For as they returned, *Sergius* fell into the hands of *Andrew*, who hanged him up. Against the Usurper was sent *Nicephorus*, a Patritian, who marching towards *Adrianople*, where he then lay, it happened, that as the Tyrant expected him, and exercised his Men, when, on a time, he was just come to the Gate of the City, he gave

gave his Horse a lash with his Whip, which not taking in good part, he kicked, and threw him with his Head forward against the Gate, and so bruised him that he died of the Fall. Thus did *Constantinus* overcome without one stroke struck; a favour more due to his Cause and Profession, than his own Person. Therefore as his Cause and Profession was hereby countenanced, so his Person shortly after received a reward, suitable perhaps to his merit, though Treason, as it proceeded from his hand that did the deed. As he was bathing himself at *Syracuse*, in the Bath called *Daphne*, one *Andrew*, the Son of *Troilus*, knocked him on the Head with a Vessel, with which they poured hot water upon him, after he had reigned twenty seven years, in the fourteenth Year of *Vitalianus*, the Roman Bishop, the eleventh Indiction. A. D. DCLXVIII.

6. He being dead, they of *Syracuse*, who, as it seems, were of the Plot with *Andrew*, named Emperor one *Metius*, *Mezentius*, or *Mizizius*, an *Armenian*, a very beautiful Person. But *Constantinus*, the eldest Son of *Constantinus*, understanding how matters went in *Sicily*, being formerly made Emperor, by his Father, hastes to the Island with a great Fleet, and easily subdues his *Emulator*, with all those of his Party. The Usurper, though he had been drawn to take the Purple fore against his will, he caused to be slain with others, amongst whom was *Justinian*, the Father of *Germanus*, afterward Patriarch, whom also being just then come to years of Puberty, he commanded to be gelded. Having settled all things in *Sicily*, he returned to *Constantinople*, where the Citizens bestowed on him the Surname of *Pognatus*, because having departed thence onely with some down on his Chin, he returned to them with a perfect Beard. But at his return he was received with the news of a Sedition risen amongst the Nobility of the Eastern parts, who cried out, that his two other Brothers ought also to be crowned Emperours, and it seems they were more zealous Christians, and more orthodox in their Faith, than regular in their Logicks. For they contended, as there are three Persons in the blessed Trinity, so there ought to be three Emperours upon the Throne. The Mutineers being allured to *Constantinople* from *Chrysopolis*, where they had assembled under shew of being present at the Coronation, after he had got them into his Power he put them to death, and cut off the Noses of both his Brothers, whom yet some Authors make his Collegues in the Empire. While these stirrings happened at *Constantinople*, the *Saracens* invade *Africk*, and using the Inhabitants as they pleased, led away eighty thousand of them into Captivity. For these things the first Year of *Constantine* was memorable. His second was onely remarkable for this, that the cold of the Winter was so vehement, that therewith perished many Men, besides other Animals: And in his fourth appeared such a Rainbow in the Heavens, as they thought, did signify the end of the World to be at hand. Indeed a great mischief was not far off, for the *Saracens*, or the Posterity of *Agar*, as *Zonaras* calls them, with a great and strong Fleet, came into *Cilicia*, and wintered at *Smyrna*.

A Conspiracy prevented.

The *Saracens* invade *Africk*.

And *Cilicia* with a Fleet.

Approach *Thrace*.

Retreat, and the Fleet call away.

Suphianus the *Saracen* defeated.

7. The Year that followed, being the fifth of *Constantinus Pogonatus*, they came up to the Borders of *Thrace*, seizing on all that lay betwixt the *Hebdomum*, or Western Promontory and *Cyclobium*. *Constantine* brought out his Fleet, and every day they fought from morning till night, betwixt the *Brachiolum* of the Golden Gate, and *Cyclobium*; so near were they got to *Constantinople*. From the month of April till September, they pertinaciously continued their Siege, and then despairing of success, departed to *Cyzicum*, where they wintered, and in Spring again renewed the War. And this course they held for seven years, as the Greek Annals tell us, and yet from them it appears, that in the fourth year a Peace was made. But at length their Courage was quite spent, and in great grief they retired, having lost a great multitude of their Men, after which followed the destruction of the whole Fleet, which was in the Winter season cast away near the *Syllaan* Promontory. There was a new Invention of Seafire, as they called it, which much helped the Defendants in the Siege. It would burn under the Water, being the Discovery of one *Callinicus*, an *Helipolitan* of *Egypt*, who fled with the Invention to the *Romans*, and of him was defended one *Lamprus*, who made this artificial Fire in the days of *Cedrenus*. But while one Party of the *Saracens* thus employed themselves against *Constantinople*, another Captain of theirs, *Suphianus* the Son of *Aphus*, engaged with the *Roman* Forces commanded by *Florus*, *Petronus* and *Cyprianus*, but to no other effect than that he lost thirty thousand of his followers. Within a year or two after the *Mardaitæ* entered *Libanus*, and seized on all that Tract lying between the Mountain *Taurus* and *Jerusalem*. They got into their

The Tract betwixt *Taurus* and *Jerusalem* seized.

A Truce for thirty years made with the *Saracens*.

Which makes the Enemies of the Empire in the West to submit.

The *Bulgari* invade *Thrace*.

Constantine buys Peace.

Makes his Son *Justinian* his Collegue.

He dies.

Justinian his Successour not like him.

A new Accord made with the *Saracens*, to the loss of the *Roman*, *man*.

their hands, the Watch Towers of *Libanus*; and upon News of the Exploit, such multitudes of Slaves, Captives and Inhabitants of the Country adjacent flocked to them, that in a small time they grew to many thousands.

8. These things terrified the *Saracens*, that Judging verily, that they contended with Providence; and the *Roman* Empire was protected by Almighty God, they resolved to make Peace with the Emperour at any Rate. *Manias* therefore sends his Ambassadors offering very good Terms, and desiring a Treaty as to a way to an Accommodation. *Constantine* conceives it his Interest to close with them, and for that purpose appoints one *John* a Patritian, Surnamed *Pitigandis*, or *Pizicanda*, a Man famous for his Nobility and Wisdom, as his Committioner Plenipotentiary to treat with them. In pursuance of his Powers he goes into *Syria*, where being Honourably received, he concludes and signs an Agreement to this purpose, that for thirty years there should be a Truce inviolably preserved betwixt the *Romans* and *Saracens*, in every which year successively, the *Saracens* should pay to the Emperour thirty thousand Pounds of Gold, fifty Captives, and as many choice Horses. This Treaty being ratified in the East, the Enemies in the Western parts grew less afraid, as *Cajanus*, *Avarus* the Exarchs, and the *Castaldi*; and sending to the Emperour, purchased their Peace in the like manner as the *Saracens* had done, such Mutability is there in subjunary things, that these who are terrible to day, and seem to carry all before them, to morrow fail in their Course, and by some Accident or other change the Language of an imperious Conquerour, for that of a distressed Suppliant, and Tributary. But hereby was Peace restored both in the East and West, and the Emperour thought he had leisure to set himself to compose the Differences in the Church, which for many years had been much out of Order. Yet as there is nothing perfect in this World, no such rest, but is accompanied with disturbance; the year following, the *Bulgari* invaded *Thrace*, and defeated a considerable party that was sent against them. The Emperour who had lately the Honour to give, now must beg Peace, and thereby receives a notable Check in the Course of his Fortunes.

9. The very next year, some of these *Bulgari* separating from the rest passed *Danubius*, and seized upon certain Woods and Mountains. Against them *Constantine* himself went, with a good Fleet and a land Army; with which Preparations being affrighted at the first On-set, they fled and retired to a certain Fort, where the *Romans* were not able for the Difficulty of Access, to do any thing against them. Hereupon they became more daring than ever, and it happened, that the Emperour being very ill of the Gout, retired into *Mejembrina* a *Roman* Province, to make use of the Baths, leaving the siege to the Conduct of his Captains. A Rumour was hence raised, that the Emperour himself fled; and thereupon his Souldiers without any Cause begin to run away. This being perceived by the *Bulgari* out they issue, and giving them the Chace kill many in the Rere, which done they boldly enter the *Roman* Provinces, and return enriched with good Booty. *Constantine* then was glad to take up the Quarrel, and by a Tribute to make Peace with them, which being done, when all things were quiet at home, and no stir likely to arise by such an Action, he deposed his two Brothers, and made his Son *Justinian* his Collegue in the Empire. After this, he lived Peaceably all his time, and died after he had Reigned seventeen years, being to be reckoned amongst the best Princes. *Justinian* his Son succeeded him according to his desire, though not at all comparable to him for Parts, nor indeed fit for so great an Employment; especially at this time, when the Empire was in so tottering a Condition. Yet such was God's Providence, that on so weak a Body, over which as infirm a Head was set, for some time no considerable Distemper seized, though for want of Conduct Foundations of great Disorders, might be laid for the time to come. In his first year, *Abimelech* Prince of the *Saracens*, who had succeeded *Manias* lately dead, not taking any occasion presented him by his Youth and Folly; sent and confirmed the Peace made his Father, and farther made a new Accord; that *Justinian* should repress the inroads of the *Mardaitæ*, which were very troublesome to the *Saracens*, who for this Act of kindness should make a daily Payment to the Emperour of one thousand *Nummi*, an Horse and a Slave. To ratify this Accord under hand and seal, *Paulus Magistrinus* was sent, and twelve thousand *Mardaitæ* were recalled from *Libanus*, to the utter Destruction of the *Roman* Power and Authority in those parts, as afterward it happened. For whatsoever the *Arabians* or *Saracens* held as far as from *Mopsuestia* to *Armenia* the fourth, was also harassed by the Inroads of these *Mardaitæ*, that it became of no value, being deserted by the Inhabitants: But they being thus repressed, infinite loss hath the Empire continually sustained from the

P p

Incurfions

Africk in this manner to the Enemy, and fearing the Indignation of *Leontius*, they perwaded the Seamen to revolt from him, and salute Emperour, one *Apsimarus*, the *Drungarius* of the *Cyprrhæna*, whose Name they changed to *Tiberius*. This new Emperour comes then with all his Subjects (as yet) to *Cyæ* the Port of *Constantinople*, and found the Favour to be admitted, by some Countrey Magistrates at the Wall of *Blachernæ*, then seizing on the City, he cut off the Nose of *Leontius*, and causing him to be kept in a Monastery, banished his Friends after he had seized on their Estates. This Conclusion had the Reign of *Leontius*, after it had lasted scarce three Years.

Leontius deposed by *Apsimarus*, who seizes on the Empire.

Heraclius his Brother makes great slaughter of the *Saracens* in *Syria*.

The Fourth *Armenia* betrayed to the *Saracens*.

Various Successes.

Justinian escapes out of the Monastery.

15. *Apsimarus* or *Tiberius*, thus seized of the Empire, immediately made *Heraclius* his Brother General of all the Forces, and sent him into *Cappadocia*, to watch the motions of the *Saracens*. He taking his opportunity invaded their Territories, and piercing into *Syria* as far as *Samofata*, waited all before him, and slew as was reported two hundred thousand of the *Arabians*, leaving a great Terror of his Name behind him. In the mean time *Abderachman* rises in *Perfia*, and expelling *Chaganus*, makes himself King of that Countrey in his room, but through the assistance of *Moamed*, whether the same we last mentioned, or another is uncertain, he recovered his former Estate, and *Abderachman* lost his Life, and Fortunes together. In the third year of *Tiberius*, *Abdelus* fell upon the *Roman* Territories, and besieged *Antaradus*; but neither his Force nor Arts prevailing, he returned home and built *Mopubeftia*, wherein he left a Garrison. In his fourth, *Boanes* Sirnamed *Heptadæmon* betrayed the fourth *Armenia* to the *Arabians*. And the Emperour banished *Philippicus* a Patritian the Son of *Nicephorus* into *Cephalenia*, because he had said he dreamed, that his Head was over-shadowed by an Eagle, as if the Empire was thereby portended to him. But, what was of more Consequence, in the year that next followed, the Nobility of *Armenia* rose up against the *Saracens*, and killing all they could light on, sent to *Apsimarus* for his assistance against that Nation; but *Moamed* timely comes in, and after great slaughter on both sides, recovers *Armenia*, and having got together the Nobility that remained, burnt them all alive together. But that the *Saracens* might not think to carry all before them without controul; *Azar* invading *Cilicia* with ten thousand Men, *Heraclius* the Emperour's Brother light upon him, and killing most of his Followers, sent the rest in Chains to *Constantinople*.

16. Yet did *Azidas* the Son of *Chumeus*, the following Summer make War against *Cilicia*, and taking the Castle *Sifum*, demolished it. But *Heraclius* engaging with him in a Bloudy Battel, slew twelve thousand of his *Arabians* in the place. In the mean time *Justinian* living at *Cherfona*, was so Confident as to affirm, that for all this one day he should recover his former Dignity, which so alarmed the Inhabitants of the place, that they resolved either to kill, or to send him to the Emperour. He perceiving their intentions, stole out of the Monastery, and coming to *Darus* desired to have a meeting with *Chaganus* the Prince of the *Chazari*; who received him Honourably, and gave him in Marriage his Sister *Theodora*, persuading them to go and live together at *Phænegorea*. *Apsimarus* could not be long Ignorant of such a matter, which as soon as he had discovered he sent to *Chaganus* with vast Promises, inciting him either to deliver him up alive, or to send him his Head. *Chaganus* promised to doe one of them, and sent a Guard to *Justinian* under Pretence of securing him from all violence, that might be offered him by the Inhabitants of the Countrey; but with secret Instructions to kill him, when ever they should receive from him such Orders. The design was revealed by one of his Servants to *Theodora*, and she acquainted therewith her Husband, who calling the Guards to him killed them, and then sending her back into *Chazaria*, he fled to the Straits, and there taking ship came to *Symbolum* near *Cherfona*, whither upon notice came to him, *Basbacurius* his Brother and others, with whom he failed to the Watch Tower of *Cherfona*, thence to *Necropolis* and the Straits of *Danaprium*, and *Danaprium*. Here he was seized with such a storm, that all that were with him gave themselves for lost; whereupon *Myaces* one of his Domesticks told him, that he saw plainly they were in great Danger of Death, and therefore prayed him to make a Vow, that if God Almighty would but restore him to his Throne, he would not revenge himself upon his Enemies, to which he answered in Anger; Here let God drown me, if I spare any of them. Then coming to the *Danube*, he sent to *Terbelis*, King of the *Bulgari* to desire aid, offering him great rewards with his Daughter in Marriage. *Terbelis* with an Oath undertook to assist him, and armed the whole multitude of the *Bulgari* and *Slavi*, with which *Justinian* went to *Constantinople*. Three days he treated with the Inhabitants, till perceiving he was

more

And recovers his Dignity.

His Cruelty.

Breaks the Peace with his Relations, and Inhumanly beaten.

Malignantly Cruel against those of *Bosphorus*.

Who salute Emperour *Philippicus*.

To whom *Justinian's* Soldiers revolt.

more and more affronted, with a few *Romans* he passed up the Aqueduct into the City, and digging through it, possessed himself of the Palace in *Blachernæ*, which being once known, *Apsimarus* with a great sum of Money after he had Reigned about seven years led to *Apolloneas*, and so *Justinian* recovered his former Power.

17. He dismissed *Terbelis* with great Gifts and Royal Furniture, and bestowed on him part of that *Roman* Countrey, called afterward *Zagoria*. *Apsimarus*, *Leontius* and *Heraclius*, being betrayed into his hands, he put to Death the two former, after he had Inhumanly led them as in Triumph through the City; and had in the Shews of the *Circus* set his Feet upon their Necks; which while he did, the unconstant multitude repeated: *Thou shalt tread upon the Adder and Basilisk*, and that which follows. The Eyes of *Callinicus* the Patriarch he pulled out of his Head, and then banished him to *Rome*, preferring one *Cyrus* to his place, a Monk of the Island *Amasrus*, because he had foretold his Reftitution. Then in his revengefull humour, did he proceed to the slaughter of an innumerable Company of Citizens and Souldiers, which struck all Men with a Panick fear. He sent for his Wife, and *Tiberius* a Son lately born to him out of *Chazaria*, and set the Crown upon both their Heads. But in the third year of his Restauration, forgetting the Benefits he had received from *Terbelis*, he broke the League made betwixt the *Romans* and *Bulgarians*; and with a Party of stout Horfe, and a strong Navy invaded *Thrace*. But his Men either so Cowardly or unskilfully demeaned themselves, that they were quite beaten, and he was forced to betake himself to his Rampart, where being besieged three days when he saw the Enemy very pertinacious, he Hamstrung all his Horses, and getting his men aboard, with great Infamy returned home. Here he had not long been, when calling to mind how thofe of *Cherfona* the *Bosphorani*, and others had laid in wait for him; he Rigged every ship he could make, and on this Fleet sent an Army with exprefs Order to kill and destroy those that lived in these parts, and to be sure not to leave one of them alive.

18. His Orders were executed as far as possible, the poor People not being in the posture of defence, as utterly surprized, only the Children they killed not; but kept them for Slaves. Two and forty of the principal Men, they sent to the Emperour. Some they Roasted alive, and others they cast into the Sea. *Justinian* was Mad, when he heard they had spared the Children, but was comforted when he heard that, no fewer than seventy three Thousand were destroyed. But imagining he had not yet done enough, though he had also killed the Children, he sends his Navy the second time with Charge to lay all the Countrey waste, and destroy what ever was remaining of the People. The remainder of the Nation seeing there was no end of their Miseries, secured themselves in their Forts as well as they could, and renouncing *Justinian*, saluted Emperour *Philippicus* the Son of *Bardanes*, who had been banished by *Apsimarus* to *Cephalenia*, but now was recalled, and on his way to *Constantinople*. *Elias* the Prince of the Countrey had a great hand in this Election; whereat *Justinian* upon notice was so enraged, that he killed *Elias* his Children, then being at *Constantinople* in the Lap of their Mother, and forced her to lye with an *Indian* his Slave and Cook. Then sent he his Fleet the third time, with battering Rams, and all Instruments of Hostility to complete the Ruine of this People, which had been perfected, but that the *Chazari* upon their desire came in to their Relief; who made such effectual opposition, that the Army not able to doe that for which they were sent, and fearing the most Savage cruelty of *Justinian*, revolted also from him, and joyned with the other in the choice of *Philippicus*, whom, being retired for his safety to *Chaganus*, they demanded might be sent to them. *Chaganus* demanded Caution, that they would not betray him, and required a piece of Money from every Souldier, which being given, he dismissed *Philippicus*, and they willingly submitted to him as to their Prince.

19. *Justinian* when the Fleet was so slow in returning, guessed what was the occasion; and getting about him some *Thracians* and others, went as far as *Sinope*, whence perceiving that it failed toward *Constantinople*, for Grief and Indignation he rored out, and made what haste he could to get thither, but *Philippicus* prevented him, and then he retired to *Damatrya*. *Philippicus* presently sent *Elias* against him, and *Maurus* a Patritian to seek out his Son *Tiberius*, whom he found fled with his Grandmother *Anastasia* (for his Mother was dead) to a Church in *Blachernis*, and there Grafted about the Holy Table; but they pulled the Child thence, and dragging him to the little Door of the Gate of *Callinicum*, there laid him on the Threshold and cut his Throat like a Sheep. *Elias* by Promise of security

and

and other matters, drew all *Justinian's* followers from him, and being thus deserted, he took him in great anger by the Throat, and drawing the Scimitar which hung at his side, therewith cut off his Head, which he sent to *Philippicus*, and *Philippicus* made it be conveyed to *Rome*. To this end came this furious and implacable *Justinian*, in the eighth year after his Restauration. *Philippicus* the Son of *Bardares* as *Zonaras* calls him, or firnamed *Bardares* as *Cedrenus* will have it, was eloquent in Discourse, and once had the esteem of a prudent man, but carrying himself lightly and carelessly, and being of an evil Life, he quite lost all his Reputation. Perfwaded by an Heretical Monk, who had foretold him he should be Emperour; he set himself to abolish the Decrees of the sixth General Council, with which matters while he busied himself, the *Bulgari* without any Noise made an Invasion as far as to the *Golden Gate* of the City, and having killed and taken Captives an infinite number of People, returned home without any opposition. This happened in the first year of his Reign. In his second, when the *Prasini* had got the better in the *Circus*, it pleased the Emperour to make his Entry on Horseback, to Bathe himself in the Bath of *Zeuxippus*, and to Dine with some of the most Noble Citizens, or as others said, with those that were Victorious in the Sports. As he took his rest at the Noon time of the Day, one *Rufus* Prefect of the *Officiarii*, with a company of *Thracians* entering by the *Golden Gate* broke into the Palace, and thence taking him out into the Armory of the *Prasini* there pulled out his Eyes, the thing being utterly unknown. But when it was grown publick, the day after being Easter day, the People met together in the Great Church, and *John* the Patriarch Crowned Emperour, *Artemius* the principal Secretary, giving him the name of *Anastafius*. This happened after *Philippicus* had Reigned but one year and six months.

20. *Artemius*, or *Anastafius* was a most learned man, and extraordinary fit for business, and the management of the greatest Affairs. He made General of the Horse one *Leo* an *Isaurian*, a very fit man, and another as fit as he, he set over civil Matters, so that all his time, he had not much to concern himself about. Of *Theodorus* and *Georgius* both Patritians, he caused the Eyes to be put out, and confined to *Thessalonica* for his better security. The *Arabians* now making War upon the Empire both by Sea and Land, and a report going that they would fall upon the City, he caused to be Built all the light Ships his Arsenals could furnish, fortified all the Walls and Places at Land, and filled the Granaries with Corn. But being informed that the *Saracens* Sailed into *Phenicia* with a strong Fleet, there to cut down Timber, he also set out a Navy to destroy the provision that they made, commanding the Provincials also to send their Ships to the General Rendezvous at *Rhodes*, and joyn with the main Fleet, which he would have Commanded by *John* the Deacon of the Great Church, and the General *Logotheta*. Being all assembled at *Rhodes*, the Admiral commanded them to Sail, but the Seamen, and especially the *Officiarii* refused to obey Orders, and when *John* more severely than prudently animadverted upon them, they fell into a plain Mutiny and slew him, and making an halt after a Consultation, some returned home, and others to *Constantinople*, who in their way when they were come as far as *Adramyttium* saluted Emperour against his will, one *Theodosius* a Publican, or Collector of the Revenue, a man utterly unacquainted with affairs of State. *Artemius* having notice of the Revolt, fortifies *Constantinople* and goes to *Nicaea*. For six months the Fleet of *Constantinople*, and that of *Theodosius* skirmished by times. *Theodosius* at length goes into *Thrace*, and there making great Levies, returns with a powerful Army to the City, where he corrupted those that watched at the Wall and got in. The City is Plundered for the pertinacious humour of the Inhabitants, and the friends of *Artemius* secured, who being brought to him still lying at *Nicaea*, upon security given for his Life, he entered into Religion, taking the Habit of a Monk, and was conveyed to *Thessalonica*, after he had enjoyed the Title of Emperour near about two years.

21. But *Leo* an *Isaurian*, Captain General of the Eastern Forces, refused to submit to *Theodosius*, having at his Devotion *Artavasdes* an *Armenian* the Captain of his Nation, to whom he had promised his Daughter in Marriage. At the persuasion of *Mafalnas* the Prince of the *Saracens*, who had begun to make War upon the Empire, he took the Purple upon him, and with a great Army marched to *Nicomedia*, where he fought with the Son of *Theodosius*, and defeating him, took both him and the cheifest of his Father's Friends Prisoners, and so proceeded till he came to *Chrysopolis*. *Theodosius* saw there was no contending, and employed the Patriarch *Germanus* to *Leo*, from whom having obtained promise of Impunity, he resigned

signed the Imperial Dignity, and both he and his Son were shaven and entered into Orders, after he had Reigned but one year. He died afterward at *Ephesus*, where he was Buried in the Chapel of St. *Philip*, with this word only *Isaurus*, or Health engraven on his Tomb. But how great a friend soever *Mafalnas* the *Saracen* was to *Leo*, it seems he was no friend to the Empire, for he set upon *Pergamus* and took it, the Inhabitants by the just Judgment of God being delivered into his hands as our Historians observe. For periwaded by a certain Magician they ripped up a Bigbellied Woman, and seething her fruit in a Kettle, as many as would fight against the Enemy, dipped the sleeves of their right Armes in this execrable Sacrifice.

22. *Leo* upon the resignation of *Theodosius* was owned for Emperour, and took the Government upon him, on the eighth day before the Calends of *April*, in the fourteenth Indiction, the third year of *Gregory* the Second, Bishop of *Rome*, and the seven hundred and sixteenth year of our Lord. He was also called *Conon*, and firnamed *Iconomachus*, because he was against the worshipping of Images. When he was young, there were certain Jews born at *Ladicea*, a City of *Phenicia*, who pretended to foretell that *Izeth* King of the *Arabians* should Reign over that Nation forty years, but he died soon after, and his Son sought for the Impostours to have them punished. They fled to save their Lives into *Isauria*, where meeting with *Leo* then a very Youth, but tall and beautifull at a certain Well, where he was set at Dinner, (for he got his living hardly, and had now unladed his Beast to give him refreshment as well as himself,) they prophesied that one day he should sway the Sceptre of the *Roman Empire*. He expostulated with them for uttering such a strange Conceit, but they affirmed it would be so, and made him swear, that in case it should come to pass, he would grant them whatsoever they desired. Not long after he was taken into the Army by *Sisinnius* the Patritian, and was made within a while a *Spatharius* by *Justinian*, and at length either by *Anastafius* or *Theodosius* was created General of the East, and so in the method and course lately mentioned came to be Emperour. In his second year *Soliman* with an Army invaded *Thrace*, but died within a while, and *Humar* was *Ameras* or Prince in his room, who lost a great multitude both of his Men and Cattel by the extremity of the Winter. In Spring following *Suphian* from *Egypt*, and *Izeth* from *Africa* in great Fleets passed up to *Constantinople*, with an innumerable company of men and quantity of Arms, and the City they besieged two years, but then all the Ships were partly sunk by Tempests, and partly burnt, and all the men perished together with their Vessels.

23. Yet did *Mardasane* another *Saracen* Captain from *Pyle* or the Straits, make another excursion as far as *Nicaea* and *Nicomedia*, but were sent back with great loss received from the *Romans*, who after the manner of the *Mardaites* lay in Ambush and intercepted them. At this time so great a Famine fell upon those *Arabians*, that it compelled them to eat up all their Cattel, and after that to fall one upon another, and feed on Excrements, with the roots of Trees and other unnatural things. And this was followed by so great a Plague, as swept away an infinite number of men, which were great rebukes, and able if not to destroy, yet to weaken and render contemptible very powerful Nations, yet still they flourished every day, made progress in the glory of Arms and Conquests, and became more renowned by the possession of many, the most considerable Provinces and Countries of the World, amongst which they set footing in *Spain* about this very time. Not long after, the *Bulgari* made War upon them, and slew no fewer than two and twenty thousand, and many other Calamities followed; but they weathered all those Difficulties, and arrived at that Power and Fame in the World, which was included secretly in the promise made to *Abraham* about *Ismael's* Posterity. We have heard what success they had in besieging *Constantinople*, but to another thing of consequence this Siege gave occasion. *Sergius*, chief of the *Spatharii* and Governour of *Sicily*, hearing the News, saluted Emperour one *Basilus* the Son of *Onomastus* changing his Name into *Tiberius*. He disposed of places, and ordered matters thereabout as he pleased, but *Leo* having notice, sends *Paul* one of his Domesticks to chastise him, who coming into the Island called the People together, and reading a Writing which expressed the thoughts and intentions of the Emperour, so improved the opportunity he had got of their Attention, that with lucky acclamations they owned *Leo* for their Prince, and renounced the Title and pretences of their new Upstart, whom with his Relations they delivered up bound into his Hands. He cut off their Heads and sent them to the Emperour, then by promise of pardon brought in *Paul*, who had been the Author of the Revolt. And so the

Justinian's slain

Philippicus succeeds.

His Eyes pulled out.

Artemius the Secretary made Emperour.

The Fleet revolts and salutes Theodosius Emperour.

Artemius deposed.

Leo the Isaurian takes the Purple upon him.

Theodosius resigns.

The Saracens take Pergamus.

Leo owned Emperour.

From what and how he arose.

The Fleet of the Saracens lost before Constantinople.

Another military carriage.

Great difficulties the Saracens grapple with yet overcome all.

A Rebellion in Sicily suppressed.

Cedrenus.

Spatharius Cedrenus esse Romanus Corporis custodem dicit

essetque a Spathario

Spatharium Principis a Caropate inter

Spatharium dicit

Spatharium, qui

by Imp. et eandem

gestare principem

genere proximum

scribit.

to the Weſt was again ſetled in Obedience. Theſe things happened about the firſt and ſecond years of *Leo*. In his third his Wife *Maria* brought him a Son whom he named *Conſtantine*, and the People ſurnamed *Copronymus*, becauſe he bewrayed the Foot at his Baptiſm, which was taken as a ſign of much miſchief he would do to the Church. The chief of the Nobility and Senate were his God-fathers.

24. The ſame year *Artemius* living at *Conſtantinople*, being perſuaded by *Nicetas Xylinites* a man of great Authority, went to the *Bulgari*, and raiſing an Army amongſt them came againſt *Leo* to *Conſtantinople*, but the Citizens reſuſing to receive him, the *Bulgari* delivered him up into the Emperor's hands and departed home; *Leo* put both *Artemius* and *Xylinites* to Death, conſiſcated alſo the Eſtate of the latter for he was very rich, and cauſed to be Executed very many others that were of the Party, amongſt whom the Archbiſhop of *Theſſalonica*; neither did ſuch as obtained mercy to live, eſcape utterly without Punishment, for many he chaſtiſed by cutting off their Noſes, and others he ſent into Banishment. Having paſſed the danger of this Conſpiracy, he thought of Eſtabliſhing the Empire upon his Poſterity, cauſing *Germanus* the Patriarch to Crown his Son now ſcarcely a year old. While theſe things are in hand at *Conſtantinople*, *Humar* the *Ameras* or Prince of the *Arabians* leaves this World, after he had Governed eleven years and four months and his Principality to *Ized*. Much about the ſame time another *Ized* ſurnamed *Malabais* ſet up for himſelf in *Perſia*, and drew in great numbers to defend him, but the *Ameras* made War upon him, ſlew him and recovered the Country. *Leo* the Emperor from this time forward ſet himſelf to remove Images from Churches, and much ſtir aroſe upon that occaſion, inſomuch as *Gregory* the Biſhop of *Rome* rebelled againſt him, and making a League with the *Franks*, ſtopped the Revenue which had formerly riſen to the Emperor out of *Italy*. While theſe contentions were riſing to an height, in the tenth year of his Reign *Maſalinus* takes *Ceſarea* in *Cappadocia*, and a great Plague rages in *Syria*. In the Summer of the ſame year, a ſtrange thing happened betwixt *Thera* and *Theraſia*, two of the Iſlands *Sprades* of the *Egean* Sea, a great ſmoak for many days riſing from the bottom of the Sea, like to that of a Furnace, which thickning by degrees, at laſt grew to perfect Srones reſembling the Pumice, which covered not onely the Water it ſelf, but in a manner all the continent of *Aſia Minor*, *Leſbus*, *Abidus* and the maritime parts of *Macedonia*. In the middle of the ſmoak a new Iſland aroſe out of the Sea, and joyined it ſelf to *Hieria*, even as *Thera* and *Theraſia* had formerly appeared on a ſudden, where nothing but water had been ſeen before.

25. Whether theſe diſturbances in the Earth and Air had any influence upon the brains of ſuch as inhabited the Iſlands *Cyclades* we know not, who grew ſo hot upon the Emperor's War againſt Images, that they would needs join themſelves to the weaker ſide, and making up a Fleet amongſt themſelves, undertook an expedition againſt *Conſtantinople*, but by artificial fire they and all their Ships periſhed together. In the mean time *Huamar* with fifteen thouſand men lightly Armed, made an excursion into the *Roman* Provinces, and beſieged *Nicaea* the City of *Bithynia*, where *Manias* with no fewer than eighty five thouſand joyined with him, and a long time they beſieged the City, but it was protected by apparitions of Saints, as thoſe who wrote in later Ages do tell us. Whether they were diſcouraged from this ill ſucceſs or no we know not, but about three years, for any thing that appears to us, the *Saracens* continued quiet till the fourteenth of *Leo*, when *Maſalinus* made another Inroad into the Provinces, and coming into *Cappadocia*, took by Stratagem the Caſtle of *Charſhanum*. At the ſame time the Emperor's affairs were in no good condition in *Italy*, where, beſides the Revolt of *Rome*, and the loſs of his Tributes, there was no good Correſpondence betwixt his Exarch of *Ravenna*, and *Luitprand* the King of the *Lombards*. But he ſo ordered the matter, as to bring this King to his beck, and enter into a ſtrict League and Alliance with him, the conditions whereof were theſe, that *Leo* ſhould aſſiſt *Luitprand* in ſubduing the Dukes, or the petty Princes, and ſo promote him to the Monarchy of the *Lombards*, and he on the other ſide, ſhould uſe his utmoſt endeavour to reduce the City of *Rome* to the Emperor's Obedience, which yet could not be effected according to their deſires, though *Eutychius* the Exarch, and *Gregory* the *Roman* Biſhop were reconciled, who had ſo far diſagreed formerly, that the Life of the Prelate was exceedingly endangered.

26. *Leo* being rid of the troubles of the *Lombards*, with whom all things ſeemed now to be ſettled, bent his utmoſt endeavours to ſuppreſs the Worſhippers of Images, and to the eſtabliſhment of his Family. He procured the Daughter of *Chaga-*

Conſtantine Co-
pronymus born.

Artemius put to
death for Trea-
ſon, with his
Complices.

Young *Conſtan-*
tine Crowned.

Gregory Biſhop
of *Rome* Rebels
againſt the Em-
peror.

Wonders in the
Egean Sea.

Rebels periſhed
by artificial fire.

More Inroads of
the *Saracens*.

Agreement be-
tween the Ex-
arch of *Raven-*
na, and the King
of the *Lombards*.

Artemius ſet
up for himſelf
in *Perſia*, and
drew in great
numbers to de-
fend him, but
the *Ameras* made
War upon him,
ſlew him and
recovered the
Country.

Anaſtaſius.

mus, the King of the *Scythians*, to be given in Marriage to his Son *Conſtantine*, after ſhe was firſt chriſtened, and named *Irene*. Againſt the revolted Biſhop and City of *Rome* he ſent a very conſiderable Fleet, which periſhed by Tempeſts in the *Adriatick* Sea. He laid heavy Impoſitions upon the People of *Sicily* and *Calabria*, to ſupply his empty Coſſers, ſeized on the Revenues which belonged to ſome Churches, and *Rome*, and cauſed Male Children, alſoſon as they were born, to be ſeized. In the mean time, and afterward, *Suleiman*, the Son of *Iſam*, invades the Provinces bordering on the Dominions of the *Saracens*, and waſtes all with Fire and Sword, carrying along with him in his Expeditions one that called himſelf *Tiberius*, the Son of *Juſtinian*, whole Title he advanced againſt that of the Emperor. In the three and twentieth Year of *Leo*'s Reign, with no fewer than ninety thouſand Men, he fell upon the Towns and Caſtles of the Eaſt, and having taken many of them, returned home with his Priſoners and Booty without any diſturbance. Theſe Invaſions of the *Saracens* ſorely afflicted the Eaſtern Parts, and that the more Western might have their ſhare alſo of miſery, and feel the incontinency of all humane Comforts, as well as their Neighbours, in the laſt Year of *Leo* a moſt dreadful Earthquake falls out at *Conſtantinople*, which overturns many Churches, Monafteries and private Houſes, and buried multitudes of Men, Women and Children in the rubbiſh. Several Statues of ancient Emperours it removed from their Bafes, as thoſe of *Conſtantine* the Great, *Theodoſius*, *Arcadius*, and others. In *Thrace* alſo and *Bithinia*, ſeveral dreadful Effects of this Concuſſion of the Earth were to be ſeen. For beſides many Towns and Caſtles, *Nicomedia*, *Præneste* and *Nicaea* periſhed, with many Inhabitants. The Sea was ſo much diſturbed with theſe ſubterraneous Vapours that thus diſquieted the World for eleven Months together, that it was driven out of ſome of its ancient Poſſeſſions, and forced to make bold with grounds that lay moſt obnoxious to its violence in other places.

27. This ſo publick and a great Calamity, againſt the effects and terror of which the Emperor ſhould have found out ſome comfort and ſupply, he turned to his own Lucre, and the greater diſturbance and oppreſſion of the poor People, if our Annals may be credited. He diſſuaded them from repairing the Walls of their Towns, but laid a Tax upon them, which being, as they thought, only deſigned for this preſent occaſion, was (as oftentimes it happens that an Impoſition impoſed laſts longer than the cauſe that procured it,) continued upon them and their Poſterity. Not long after this *Leo* dies after he had reigned twenty five years, two months, and twenty days, and leaves *Conſtantine* his Son, and Colleague, to the ſole poſſeſſion of the Empire. He as willing to keep and preſerve to his own Family what was left him, in his firſt Year marches againſt the *Arabians*, and as he was in his way, ſtudied how to prevent the deſigns of all Competitors. He had a Brother-in-Law whom he moſt feared, one *Artabazus*, who married *Anne*, the Daughter of *Leo*, and being ſometime Governour of *Armenia*, aſſiſted him much in obtaining the Empire. *Conſtantine*, to make ſure work of it, that the Empire might not be transferred from the one Family into the other, reſolves firſt to make away his Sons, whom he kindly invites to his preſence, deſirous to ſee them as his Nephews. But the old Man had ſmelt out the deſign, and reſolving to be before-hand with him, falls upon him at unawares, kills ſeveral of his Friends, and forces him to fly for his Life to the City *Amorium*, where, with great promiſes, he perſuades *Longinus*, the Captain of the Eaſt, ſiſter *Cedrenus*, or *Lacinus*, the Captain of the *Thracian* Troops, as writes *Theophanes*, or both, as appears from *Zonaras*, to undertake his Protection againſt his Brother.

28. In the mean time *Artabazus* ſends to make *Theodorus* the Governour of *Conſtantinople* of his Party, one *Atbanafius*, a Silentiary, who finds him pliable enough, and by telling a Lye, that *Conſtantine* the Emperor was dead, eaſily perſuades the People to own *Artabazus* for their Emperor, whom they as much extoll as a pious and orthodox Prince, as they detest and revile him whom they vainly ſuppoſed to be out of all poſſibility of revenging himſelf upon them. All things ſeeming now to be clear, and *Anaſtaſius* the Patriarch, who formerly had ſided with *Leo* againſt Images, but now, to curry favour with the riſing Sun, reviled both him, his Son, and his Opinions, perſuading all Men to receive and own him, *Artabazus* enters *Conſtantinople*, and the firſt thing he does, he ſeizes on the Sons of *Conſtantine*, then makes them be ſhaven, and clapt up in cloſe cuſtody. But the cheat of *Conſtantine* being dead could not long continue, and poſſibly the Diſcovery might have a quite contrary Effect upon the humour of the incontinent multitude. To prevent all ſuch dangers an expedient is found out by the Patriarch, who moſt ſolemnly ſwears, that *Conſtantine* had uttered moſt horrid Blaſphemies againſt our

Leo ſcapes up
Moor.

The *Scythians*
invade.

A dreadful
Earthquake.

Leo makes an
advantage of it
for getting Mo-
ney, and dies.

Conſtantine
reigns.

Artabazus in-
traps.

Constantinople, nay to *Propontis* and *Abydos*, surrounded the Islands adjacent in the Sea, and filled all the Maritime Coasts, as *Theophanes* himself was Witness, who, with thirty others of his Acquaintance, passed down upon one of these pieces. One of them *Vide end.* did some mischief to the Caille at *Constantinople*, another took very much the Wall, and then being broken into three other pieces, compassed the Town from *Mangana*, as far as *Bosphorium*, being higher than the Walls themselves. The month following, or that of *March*, the Stars seemed to fall from Heaven, and Doomday was generally thought to be at hand. And these wonders were followed by as strange a Drought, which caused both Rivers and Fountains to fail.

34. Much about this time, or a little after, *Constantine* made Peace with the *Bulgari*, but it seems he did it to surprise them, for as privately as he could he marched with an Army into their Country, but proceeding as far as *Tutia*, did nothing memorable, burnt only a few Cottages, and so returned home with small Reputation. But the Year following he thought to redeem his Credit, and therefore not only prepared his Land Forces, but a great Fleet also, which he commanded to sail to *Anchialus*, but coming to Anchor in the Road of *Thoris*, so violent a North wind seized upon it, that it almost utterly perished, and he commanded Nets to be cast into the Sea, and as many dead Bodies as could be drawn out to be decently interred. So wrote *Theophanes* and *Cedrenus*, concerning this expedition, to *Anchialus*, adding, that the Emperor returned with disgrace to *Constantinople*, but *Zonaras* tells us quite another story. The occasion, he saith, of this Expedition was taken from a Sedition lately risen amongst the *Bulgari* themselves, who having put to death all their Leaders, that were defended from their Princely Families, advanced one to the Dignity, who was much more meanly defended, *Telentia* by Name. He tells us, that the Emperor at this Instant set upon them both by Sea and Land, particularly at *Anchialus*, where the Fight continuing from eleven a Clock till evening, many were slain, the Captain of the *Bulgari* saved himself by flight, and many Barbarians being killed, and no fewer taken Prisoners, multitudes also revolted to the Emperor of their own accord, who, as Conquerour, entered *Constantinople* in solemn Triumph, in Armour at the head of his armed Troops, with his Captives in Chains, according to the custome, whom, after the pomp and solemnity ended, he put to death.

35. The next Year being come, he caused to be crowned *Eudocia*, his third Wife (for it seems he had three) upon a Scaffold of nineteen cubits, and on the first of *April*, being the *Monday* in *Easter* Week, created *Cæsars* his and her two Sons, *Christopher* and *Nicephorus*. *Nicetas* the Patriarch praying the while that the Emperours invell them with their Robes, and put on them the Cæsarean Helmets. Their youngest Brother *Nicetas* was also created *Nobilissimus*, being invested with a Robe, and a Golden Crown set on his Head, which solemnity finished, they went in a solemn Procession, casting several sorts of Money to the People, according to the custome. A year after *Irene* coming from *Athens*, was also crowned, and married to *Leo*, the eldest Son of *Constantine*. *Phadalus*, Captain of the *Saracens*, within two years, invaded the *Roman* Provinces, and took five hundred Captives, but the Inhabitants of *Mopsuestia* laid in wait, and killing a thousand of these *Arabians*, recovered all their booty. The following year *Constantine* undertook another Expedition against the *Bulgari*, but his Success was such, as inclined him to submit to a Peace, which they, it seems, never intended to observe any longer than they could get a convenient opportunity to break it. For they sent not long after twelve thousand Men to make themselves Masters of *Berezia*, which being made known to the Emperor, he halted with an Army against them, and falling on them at a place called *Litoborea*, cut them all in pieces, and then returned home. He was wont to call this his Noble War, because in it not one Christian perished, but it seems the Victory was obtained by Treachery, and that could not render it so noble, as if it had been achieved by Valour and good Conduct. For *Elerichus*, Prince of the *Bulgari*, found that he was betrayed, but because he knew not the Traitors, he had this device to know their Names. He wrote to *Constantine*, telling him, that he was resolved to quit his present Office, and come to him to *Constantinople*. He desired therefore he would send him his Letters of safe conduct, and to signify to him what Friends he had amongst the *Bulgari*, that he might commit his Person to their Trust, and with them repair to his presence. *Constantine* overjoyed at his intimation of a Revolt, sent him the Names of those that held Intelligence with him, which as soon as he knew, he put them all to death, laughing in his sleeve to see how he had cheated the Emperor, who could no otherwise amend the matter at the present, than in a fury by revenging himself upon his

Different Relations concerning Constantine's War with the Bulgari.

He Crowns his Wife and Children.

His Noble War.

He is deceived by the Bulgarian King.

his Beard which he plucked up by the roots in the height of his Passion.

36. But counting every Day a Year, till he could put himself into a posture to be revenged, the Spring following he marched against *Elerichus* with another Army, but before he could do any thing of moment, was seized with a Carbuncle, or Inflammation of his Thigh, by the Greeks called *Anthrax*, the anguish whereof cast him into an acute Fever. He returned therefore back to *Achadiopolis*, and there took his Bed, and in this case was conveyed to *Selimbria*, and thence by Ship to a Castle called *Strangylum*, where in the Territory called *Celendium* he died, after he had reigned thirty four Years, two Months and six and twenty Days, coming only nine days short of the Reign of his Father, if we believe *Baronius*, *Vide Baronius ad An. D. 741. num. 1. & 775. num. 1.* who in one place will have *Theophanes* to give thirty four Years, three Months and two days to the Reign of *Leo*, whereas formerly treating of *Leo's* Death, he cites the same Historian, reckoning only twenty five Years, two Months, and twenty Days, of that Emperor. Never was man worse spoken of by *Theophanes*, *Cedrenus*, and other later Historians, especially by *Baronius*, but how great Credit is to be given to them herein may be impartially examined, when we come to treat of the cause of their prejudice, only saying thus much by the way, that where Interest and Passion bears sway, Truth usually truckles to the Pen of the Authour. His Son *Leo*, begot on the *Chazarian* Woman, succeeded him, without any trouble, and understanding that he had intrusted one *Theophanes* with a great Treasure, to be employed for the use of his younger Children, he seized on it all, and left his Brothers destitute, and at his own Mercy. This *Leo*, though of his Father's Persuasion, as to Images, yet thought it Wisdom to comply a little with those of the contrary party, till he could be settled in his Government, which the better to effect, he caused his young Son *Constantine* to be crowned Emperor; upon what occasion, and in what manner, we shall tell the Reader from *Theophanes*. *Apud Bar.*

37. The whole City of *Constantinople*, with all the Nobility, and the People in general were so taken with the gentle and bountifull demeanour of *Leo*, that they came and petitioned him to make his Son *Constantine* Emperor. He told them, (as the Emperours were wont) that he was his only Son, and that he was in fear, lest if any thing happened otherwise than well to him his Father, they would deliver him into the hands of some Usurper of their own preferring, being yet an Infant, and not able to shift for himself. They with Oaths affirmed they would stick to him, and in case he died, none but this his Son should reign, and from *Palm-Sunday*, till the latter end of the Week, the multitude, in the *Hippodrome*, flocked together, with great earnestness requiring the thing might be done, and then on *Fryday* *Leo* demanded an Oath of Fidelity and Allegiance of them, which as well those of the Army as the Senate took, and all other sorts of People, subscribing a Paper, whereby they professed they would admit none but *Leo*, or *Constantine*, or their Issue, to reign over them. On the morrow then, or *Easter-Eve*, the Emperor ascended a Throne, raised nineteen Cubits high, where first he created *Nobilissimus* his Brother *Eudoxius*; his other Brother, *Anthimius*, having already received this honour from their Father. Then, with the other *Cæsars*, three *Nobilissimi*, and young *Constantine*, he went in solemn Procession to the great Church, where changing his Habit, as his Predecessours were wont to do, he, with his Son, and the Patriarch, mounted the place proper to such solemnities, and the People being let in, laid down their subscribed Papers upon the Holy Table. This done, the Emperor thus addressed himself to them: Look, my Brethren, I grant your Petition, and give you my Son for your Emperor; see you receive him from the Church, and the Hand of Christ. They with earnestness replied, Be thou our Surety, thou Son of God, as from thine Hand we receive our Lord *Constantine* for Emperor, to preserve him, and, if occasion require, to die for him. On the day following, which was *Easter-day*, in the fourteenth Indiction, as soon as it was well light, the Emperor and Patriarch went into the *Hippodrome*, where the Patriarch, in the full view of the People, first prayed, and then crowned young *Constantine*, which done, both the Emperours returned with the same Train and State, together with the two *Cæsars*, and the other three *Nobilissimi*, to the great Church, not through the Street of *Embolum*, but by the brazen Gate, and the Church of *Catecumenis*, with the Sceptres born by the *Scholarii* before them. After they were past, followed *Irene* the Empress, and concluded the solemnity.

38. This Ceremony happened at the latter end of *April*, and in *May* following *Nicephorus Cæsar*, the Brother of *Leo*, his Appetite after Sovereignty, it seems, being whetted by such a sight, conspired against the Emperor, and being convicted, was, with his complices, who were beaten publicly and shaven, banished to *Chersona*.

Constantine dies.

Leo his Son succeeds.

The manner of his making his Son Constantine Emperor.

His Brother Nicephorus banished for a Conspiracy.

Cherson. But the contrary Operation had a good Conscience, and a Sense of Religion upon *Telericus* or *Follericus*, King of the *Bulgari*, who came to *Constantinople*, and was baptized, resolving to change a temporal Crown, for an heavenly Kingdom. *Leo* received him with wonderful kindness, and having made him a Patritian, gave him in Marriage the Cousin Germane, or Niece of his Wife *Irene* by her Sister. This it's probable, the King of the *Bulgari* did out of choice, and therefore much more deserved a kind Reception than *Tellerigus* (so *Cedrenus* calls him) King of the *Lombards*, who the preceding year, forced thereto it's to be thought by necessity, betook himself also to *Leo*, and had kind Entertainment. In the third year of this Emperour, an Expedition was made into *Germania* by the *Roman Army*; where taking Prisoners a great multitude of the *Syrian Jacobites*: *Leo* gave them convenient Habitation in *Thrace*. Nothing more of moment occurs in his Reign; but that being exceedingly enamoured of Gems, he longed to be Master of the Crown of *Heraclius*, which being very Rich, was deposited and dedicated in the great Church. His longing was so violent, that needs he must have it, and having taken it out of the Church, he wore it when he went abroad. But on a certain time, when he was returned home, Carbuncles (they tell us) arose on his Head, and he was seized with a violent Fever, which exacted his Life as the price of his Sacrilege, after he had Reigned five years and ten days.

39. On the sixth of the Ides of *September*, in the fourth Indiction, and the seven hundred and eighteenth Year of our Lord; *Irene* with her young Son *Constantine*, a Boy of about ten years old began her Reign over the *Roman Empire*. But forty days were hardly past, when the Nobility taking distaste at the Sex of *Irene* and the Youth of *Constantine*, notwithstanding the Oath made to him and his Father, began to enter into Councils, how to prefer *Nicephorus Caesar* to the Throne, which she in time discovered, and after they had been beaten with Rods, banished them from the City into several Islands. Awakened by this danger, to prevent the like for the time to come, she caused all her Husband's Brothers, as well the *Cæsars* as the *Nobilissimi* to take Orders, and on *Christmas-day* to give the Communion to the People; at which time, she and her Son offered again that rich Crown which *Leo* had taken out of the Church. While the busied her self thus about settling her Family, the Eastern Provinces were in danger, which the *Arabians* upon News of the Emperour's Death, and the hopes of disorders thereupon to arise, had invaded, but such Forces as could be got together were sent against them, and quite expelled them out of the Coasts. Fortune thus favouring her on all sides, she thought fit to procure a strong Alliance by the Marriage of her Son, and considering all the Princes, her Neighbours thought none so fit to have Amity with, as *Charles King of the Franks* afterward surnamed the Great, and Crowned Emperour of the West. She sent her Ambassadors, to desire his Daughter might be given to *Constantine*, and the offer was so well liked as our Greek Historians write, that *Eliseus* an Eunuch, and Notary was left behind; to teach her the Language, and instruct her in the Manners and Customs of the *Roman Empire*.

40. But the prosperity of *Irene* was interrupted this same year, by the Rebellion of *Heliadius* the Pretour of *Sicily*, in behalf of the *Cæsars*, for the reducing of whom a strong Fleet was sent, under Command of *Theodorus* the Patritian, who drove him out of the Island, and made him fly into *Africk*: Yet he escaped with all his Treasure, and living securely in that Countrey, was by the *Saracens* in opposition to *Constantine*, owned for the *Roman Emperour*. They were glad of this opportunity, and having added what Fuel they could to the flame, fell upon the Eastern Provinces, which to waste *Madi* their Prince, sent *Aaron* his youngest Son (his eldest was *Moses*) who managed his Matters with such Industry and Conduct, that *Irene* to preserve the Empire, besides many Gifts she sent made it Tributary to this People; an Annual pension being to be paid to their Prince. Having thus made what Peace she could with the *Saracens*, the year following she sent *Stauracius* a Patritian, and *Logotheta* against the *Slavini*, who had seized on *Greece* and *Peloponnesus*. He brought them all to obedience, and imposing on them a Tribute, returned in Triumph with great Booty to *Constantinople*. Not long after, *Madi* Prince of the *Saracens* dies, and *Moses* his Son succeeds him, but after little more than a year is taken away also by Death, and gives place to his Brother *Aaron*; who being a Man much addicted to Arms, reigned three and twenty years, a most deadly Enemy to Christians.

41. *Constantine* the Emperour growing now towards mans Estate, had his mind all this while fixed on *Rodindris* the Daughter of *Charles King of the Franks*, and impatient he was to Consummate the Nuptials. But though the Marriage was agreed

agreed on; the Consummation was deferred for seven years, and at length the matter was absolutely broke off by *Irene* his Mother. The cause the Greek Historians ascribe to the Ambition of *Irene*, who having a great desire still to continue her Power, feared the Accession of the Friendship of *Charles* might make her Son too considerable for her to Govern. Others that have a kindness for the Woman, think she took offence at *Charles*; because he had invaded the Dukedom of *Beneventum* in *Italy*, which the Emperours had taken into their Protection, and that enraged at this Action, she both broke the Marriage, and made War upon *Charles*, wherein she had the worst; Fortune favouring him in all his Enterprizes. There are others, who out of Respect to *Charles* and his Posterity, thinking it more Honourable for him to refuse than be rejected, write that he himself broke off the Match, and that thereupon *Constantine* to be revenged, ordered *Theodorus* a Patritian the Governour of *Sicily*, and other of his Captains to invade the Borders of *Beneventum*, which he got into his Power. But the great reason of the Breach seems to be fetched from the Inclinations of *Irene* her self, who had no mind to the Match long before the business of *Beneventum* happened, else she had time and opportunity enough in so many years to have had it accomplished, and the great Enmity which upon this occasion fell out betwixt Mother and Son, shew plainly, that he thought her to be principally Guilty, the forces him to renounce the Contract made with *Rodindris*, though exceedingly in Love with her, and to espouse an obscure Maid, an *Armenian* by Birth, some say a *Paphlagonian*, by Name, *Mary*, who had nothing in the least to commend her, not to say fit her, for the imperial Throne; but that she was Daughter, or some say Neice to *Philaretus*, a Man that was very eminent for Acts of Charity.

42. Now, as it ever happens in such Cases, there are not wanting those, who endeavour on both sides to widen the Breach, and blow up a little heat of Indignation into a flame of Malice. Her flatterers tell her, the Empire cannot subsist without her, that it is both indecent and unsafe for her, who had now acquired the Art of Government by long Practice and Experience; to quit and resign it to a young raw Youth, whose Age would brook no other Maxims than what were founded upon Ease and Pleasure. His Attendants impatient of delay, till they could have to doe with Offices and Management of Affairs; put him in mind that he is now about twenty years of Age, which ripeness though he pleaded not his Quality, was sufficient to discharge him of the Bonds of Pupillage; and they provoke him to take by force that Inheritance which will not voluntarily be resigned. Their great Spleen was against *Stauracius* a Patritian, and *Logotheta*, who Governed all under *Irene* at his Pleasure; it was resolved therefore, that he in the first place, should be seized and banished the Court, and when he was removed they feared not, but they could have Quarter good enough at the Emperess hand. But *Stauracius* founded the depth of their Design e'er it was ripe for Execution, and revealing it to *Irene*, Order was presently taken with the Conspirators; of whom most were beaten and shaven, and then sent into Exile. Her Son the chastized with her own Hands and Tongue, and confining him to keep within, caused the Senate and Souldiers to take an Oath of Fidelity to her self, and not to permit her Son to Reign as long as he lived. This though with great unwillingness was swallowed by all, but the *Armenian* Legions, who professed they would adhere to *Constantine*, as they were bound by Duty and Allegiance.

43. The report of the Resolution of these *Armenian* Legions, coming to other Souldiers, who were Quartered at a distance had such Effect upon them, notwithstanding the Oath they had lately taken, that consulting what to doe they closed with them, as having more Equity on their side; and coming to a Rendezvous, they all required that *Constantine* might Reign over them. *Irene* now feared the violence of the multitude, and therefore dismissed her Son out of his honourable Imprisonment, who being received with lucky Acclamations set himself to recall his Friends out of Banishment, to put them into places of Trust and Profit; and to revenge both his and their Quarrel upon such as had been either Authours, or Instruments in their late afflictions. *Stauracius* and others, being beaten and shaven were sent into Banishment. His Mother with great Respect he led out of the Palace, and brought her to her own House, which she herself had built in *Eleutherium*, and where she had laid up a vast Treasure. While these disturbances happen at Court, and shake the whole Empire, an horrible Earthquake as it was suitable that Nature her self should expresse the Horror and Effects of Man's Ambition, made all things quake and totter at *Constantinople*, where the Citizens durst not stay in their Houses; but pitch Tents in the Fields, and there continued till the violence was abated.

The King of the Bulgari baptized.

Leo dies.

Irene with her Son Constantine Reigns.

Heliadius rebels and is defeated.

The Empire Tributary to the Saracens.

The Slavini beaten out of Greece.

A Match betwixt Constantine and the Daughter of Charles King of the Franks broken off, and why.

Irene forces her Son to marry an obscure Maid.

The Souldiers Mutiny, and will have Constantine Reign.

He deposes his Mother.

ΚΑΝΟΝΙΣΜΟΣ ΔΕ ΕΙΣΕΝ 30 ΟΙΛΑΝ- ΝΙΑΣ, ΙΡΕΝΗ ΜΗ ΔΙ- ΝΑΜΗΝ 8 3/4 ΑΥ- ΤΗΙ ΠΑΝΔΙΔΑΝΤΑ ΔΙΔΩΝ ΑΥΤΗΓΙΩΝ- ΑΣ. ΖΩΝΑΤΗΣ.

abated. The Court was also disturbed by a Fire, which burnt to the Ground a very fair Banqueting-Room called *Thomaites*, with all the Rooms under it, wherein lay the Commentaries upon the whole Scripture, written by *St. John Chrysostome*. The Emperour animated by his Liberty, and the unexpected Joyment of his Power, will now make War against the *Bulgari* and comes off with the Victory, as writes *Cedrenus*, though *Zonaras* saith it was a drawn Battel, and with no great harm either done or received, each one retired to his own Place. Not satisfied with the Reputation it seems that he got by this Expedition, he undertakes another as far as *Tarfus* against the *Arabians*; wherein one says, he took many Prisoners, and another affirms, he returned without any memorable thing performed.

Receives her
again to Court.

44. But all this while he was not so Circumspect over his Mother and her Party, but that they were very close at work; so hard a thing it is for those, who have once tasted of Sovereignty and Dominion, to relish any thing of a lower *Gusto*. Knowing there was no Force now to be used, they betake themselves to Intreats, and seek by little and little to screw up *Irene* into her former place. By Arguments drawn from filial Duty and good Nature, they persuade him to admit her again into the Court, and to the Title of Empress, which the *Armenian* Souldiers, more sensible it seems of what would follow than any others, vehemently opposed, and desired, that one *Alexius Mosoles* might be sent them, which *Constantine* construed, as he had some reason, as if they would rather promote him to the Empire, than bear the Domination of a Woman, and therefore he caused *Alexius* to be beaten and shaven, and committed him to his Custody. Having strengthened himself, as he thought, by the Conjunction of his Mother, he betakes himself again to Arms, and will needs fall upon the *Bulgari*, being by some false Prophets encouraged with a Promise of certain Victory. This so far puffed him up, that he neglected his business, as thinking it a thing needless to be solicitous for that which of its own accord would fall into his hands; and therefore in this security as he lay, the *Bulgari* took their advantages, and gave him a very notable defeat. Besides a great number of private Souldiers, many considerable Officers, and the chief Men of the Empire lost their Lives, with *Pancratius* the Astronomer, who by his lying Prophecies had given the occasion of the overthrow. *Constantine* having nothing left to clog him, for both Army and Baggage, and all was lost, fled with all speed; but brought Infamy enough with him to *Constantinople*.

He is Jealous of
his kindred.

45. This defeat opened the Mouths of his Adversaries and Emulatours, who were not wanting to descend upon each particular, and more than call his Prudence and Conduct into Question. He himself was Conscious of his Error; and consequently Jealous, that no better an Interpretation was made of it than it deserved, which Humour those that were near him, indulged with little stories put into his Head, and great Dangers suggested to him, which filled him with such Conceits as were not to be removed without some extravagant Diversion. It was told him, that the Souldiers now lying in Town, had a design to promote *Nicephorus* his Uncle to his place, which report so disordered him, that he caused not only his Eyes to be put out; but those of *Christopher* also his other Uncle, and cuts out the Tongues of another *Christopher*, *Nicetas*, *Anthimus* and *Eudocimus*; his Mother, and *Stauracius*, finding him in this Humour, strike in, and persuade him to put out the Eyes also of *Alexius*, whom the *Armenian* Legions had demanded to be sent them at such a time, as they protested against her Restitution; telling him, that in Case he were spared, the Souldiers would infallibly make him Emperour. But when the *Armenian* Souldiers received the News, they presently fell into a Mutiny, and committed to Custody, *Camilianus* their Captain. The Emperour dispatches away against them *Constantianus Artaferas*, and *Chrysechires* with a strong party, but they had the misfortune to come by the worst, and being taken Prisoners had their Eyes put out. *Constantine* therefore marches against them himself, and with better Success. He utterly defeats them in Battel, and getting them all into his Power, the Officers he puts to Death, deprives the rest of their Estates, and a thousand of the ordinary sort he caused to be led in Chains to *Constantinople*, where they had these words, *An Armenian Traitor*, stamped with Ink upon their Faces, and then were dispersed in *Sicily* and other Islands.

46. This succeeded to the good liking of *Irene*, who all this while seeming to satisfy her self with the Title without the Power; yet cast in her Head, how she might again be Mistress of both. Her great Adversaries the *Armenian* Legions were now made an end of, yet to attempt any thing against the Person of her Son, was not altogether safe, besides unnatural; but she rejoiced in his misfortunes

tunes, and comforted her self in his want of Reputation, which that he might lose still more and more, she was resolved nothing should be wanting on her part, and she hoped to push him on to such actions, as should render him odious, and so make a kind of necessity of returning the Government into her own Hands. Knowing that he had no fancy for his Wife *Mary*, to which he had been preferred by her worthy care and foresight, she persuaded him to shave her, and put her into a Monastery, which done, she finds out for him another honourable Match *Theodota* one of the Maids of her Chamber, which *Damofel* is crowned with the Imperial Diadem, and the Wedding kept with great pomp for four days together in the Palace of *St. Mamas*. This unequal Marriage made much for her Design, and she improved the advantage to the utmost, for great contentions falling out amongst Churchmen concerning the Lawfulness, or unlawfulness of the Match, she still sided with such as spake against her Son, and promoted their interest all ways possible, though secretly and as much in the dark as she could. But some other things happened, which seemed to thwart all her purposes by recovering the Reputation of her Son. For, renewing his Wars with the *Arabians* he had good success, as also against *Cardamus* or *Cardames* the Prince of the *Bulgari*, who sending to him to demand Tribute, and threatening if he had it not, to come to fetch it as far as the Golden Gate of *Constantinople*, he sent him some Horse-Dung for Tribute, and withal this word, that seeing he was an old Man, he would not have him take the pains; nor undergo the labour of so great a Journey, but he himself would come and wait upon him. And gathering together a considerable Army he went, but the Barbarian, when the Armies came in sight of each other, in a kind of a pannick fear fled away.

He is successful
against Barbarians.

47. In the seventh year of his Reign, (when he Reigned alone,) he waited on his Mother to the Baths of *Prusa*, and in the following month or *October*, news was brought him that he had a Son born, whom afterward he named *Leo*. Overjoyed at the news, he left his Mother and departed speedily to *Constantinople*, giving a fair opportunity to her, to Caball with the Officers of the Army, and what by gifts and vast promises she so improved it, that they promised to depose her Son that she might Reign alone, and that they would watch for a convenient opportunity to effect it. While she and they gaped after this desired time, the Emperour resolves to undertake another expedition against the *Arabians*, and with twenty thousand men accompanied with *Stauracius*, and other Creatures of his Mother in the month of *March* he begins his Journey. *Stauracius* and those with him perceiving both him and the Souldiers, to be full of hopes and courage were very thoughtful left he should return Victorious, and their Plot should not take, they therefore procure the Scouts to report that the *Saracens* were fled, and that it was no purpose to proceed. *Constantine* frustrated as he thought of a glorious Victory, in much discontent returns to the City, and on the first of *May* *Leo* his young Son Dies, which overwhelms him with excessive grief. In the middle of *July* those of the Conspiracy attempted to seize on him, which he having discovered endeavoured to make his escape, but his Mother so quickened them by her Letters, threatening that if they did not speedily put a conclusion to the business, she would reveal the whole matter, that fearing both her and the People, which flocked so to him that they were all afraid, and the thought once of sending some Bishops to persuade him to retire to a private Life, they laid hands on him and conveyed him to *Chelaudium*. On the Saturday morning they brought him to *Constantinople*, and there shut him up in the House called *Porphyra* where he was Born, and about three a Clock in the Afternoon, most wickedly and cruelly though by his Mothers orders, digged his Eyes out of his Head, even in such a manner that Death presently followed, after he had Reigned seven years by himself, and ten together with his unnatural Mother. Upon this blinding and Murder of the Emperour, the Sun was darkened for seventeen days, so exceedingly, that the Ships at Sea lost their course, and all men affirmed that because *Constantine* had lost his sight, the Sun was also hoodwinked, and for this very reason withdrew his beams.

He blinded and
killed by order
of his unnatural
Mother.

48. But *Irene* little concerned it seems for such a Prodigy being now rid of her Son, thought she could not yet be very secure because of her Husband's Brothers, who had taken Sanctuary in the Great Church at the persuasion of some of their Wellwillers. She sent them therefore down to *Athens*, where having entertained some Councils tending to the deposing of the Empress, and advancement of their own Fortune, they were killed as it's said by the Inhabitants, and so the Race of *Copronymus* was totally extinguished, she, to shew what manner of Person now she is, is drawn into the City by four Horses in a gilt Chariot which is staid by the

R r hands

The Saracens
ravage as far as
Constantinople.

hands of Patritians, and she casts money amongst the People, as was usual at a solemn Corporation. But what joy soever was at Constantinople upon this occasion, there was sadness enough in the Eastern Provinces, which the Saracens now invaded under Conduct of *Habbimelech*, who refused to grant any Peace at the desire of *Irene*, and as confident to overpower a Woman, marched up through all the Countries as far as Constantinople itself, the Suburbs of which they plundered, and having ranged the Countrey without Controul, at length departed home. They were no sooner gone, but another danger hung over the Head of *Irene*, and so much greater as a secret Traitor is more dangerous than a known and open Enemy. And who should this be but *Stauracius* himself, who in all his Councils for feeding the Ambition of this Woman, had an Eye it seems to his own advancement. What Service soever he had formerly done her, he now went about to render it all fruitless, conspiring to take the Diadem from her Head to set it upon his own, but he was timely discovered. She having a regard (it's probable) to his former kindnesses, (though such an act as this usually obliterates the greatest impressions of that kind,) onely forbids all men to keep him Company, after which oppressed with sorrow, either for his Fault or for his Punishment, he falls into a bleeding from the Lungs, and so ends his days, his Ambition and Sorrow altogether.

Stauracius pur-
poses to usurp,
and Die.

Irene endeavour
s to get the love
of the People.

49. *Irene* perceiving that those she most trusted, had more respect to their own advancement, than the security of her Estate, and therefore that the flood in a ticklish condition, thought it best for her to oblige the People. In her fourth year, she remitted the Tribute wont to be paid by those of Constantinople, and promoted the Commerce of *Abydus* and *Hierum* by all means possible. This had the wished effect, for it procured her the hearts of the Multitude. But it could not procure her the fidelity of her Servants, who all this while had wrought their own ends by her, and made her Service onely an advantage for their future preferment. One *Ætius* an Eunuch ruled all in the Palace, and being by his Commands over the Eastern Provinces exceedingly enriched, despised all the ancient Nobility, carrying himself very saucily toward them, and thought of no less than promoting to the Empire his Brother *Leo*, for whom he had with much labour, procured the Government of *Thrace* and *Macedonia*. The Nobility smelt out his design, and resolving to oppose it whatever should happen, consulted how to make Emperour one *Nicephorus* the General *Logotheta*. Getting their Company together, they went to the great Palace, and there telling the Guards, that it was the pleasure of *Irene* her self that *Nicephorus* should be Emperour on purpose to obviate the designs of *Ætius*, easily got admittance, and sending their Emisaries about the City before Midnight, prepared the People for what they meant to act the day following. When it was day, they clapped up *Irene* close Prisoner in the Palace, and then went and Crowned their new Emperour in the Great Church, having neither Acclamations nor good wishes, but Curses and reproachfull Language from the People. Thus was *Irene* dealt with after a Reign of five years, though not in so severe a manner as she treated her Son, for she was but shut up in a Monastery of her own Building. But a circumstance there was which made the affliction much more grievous. She was just now courted by *Charles* King of the *Franks*, who had lately assumed the Title of Roman Emperour, and desired by him in Marriage, that the East and West might in their two Persons be again happily united. She her self was not averse; but *Ætius* the Eunuch hindered the conclusion of the treaty, by rubs continually laid in the way, driving that Trade we lately mentioned for his Brother; and then in the mean time happens the Conspiracy of the Nobility, for *Nicephorus* and his Promotion. The Ambassadors of *Charles* were still in Town, and were Eye witnesses of this sudden Revolution.

The Nobility
perceiving a de-
sign of *Ætius*,

The depose *Irene*
and make
Emperour *Nicephorus* the
General *Logotheta*.

A N

A N
INSTITUTION
OF
General History:
OR
The History of the World.

B O O K II.

Of the Kingdom of the *Franks* in *Gall*, (formerly one of the *Roman* Provinces) Contemporary with the Constantinopolitan Roman Empire.

C H A P. V.

The Original of the *Franks*, their Seats, Kings and Exploits, before their coming into *Gall*.

S E C T. I.

1. GREAT things which proceed from small and contemptible Principles when they have once arrived at their Grandeur are apt to despise their Originals, and to gain greater Reputation from superstitious Minds, seek after such Heralds as can draw them specious, though false, Pedegrees. Such as of old time amongst the Heathens arrived at more than ordinary Power, Knowledge or Dexterity, in any respect, must needs be derived from the Gods themselves; such Nations as have had a more modern beginning, or the Original of whom is unknown, by reason of later Discoveries, have been more than ordinarily ambitious to derive their descent from the so much famed *Trojans*. The flattering Heralds as the Poets who have thus blazoned the Coats of *Romans*, *Veneti*, *Britains*, and others. And in later times the *Franks* have by their flatteries been advanced to the same degree of Honour.

2. By these Impostours they are derived, both as to Original and Name, from the Original of one *Francion*, a supposed Son of *Hector*, to doe them Honour. But *John Tilius* requires both the Project and the Reason thereof, affirming, that such as fetch their whence so called. Original out of *Germany*, do really, and in truth, contribute more to their Reputation

Sect. 1.

Comment. & Dis-
quis. de Rebus
Gallie, lib. 1.
ad initium.

tion than those who make them descendants of the *Trojans*. That Country having in many respects been more renowned, and deserving more praise for opposing so long a time the warlike *Romans*, and for giving the Mate to that capacious and dreadful Eagle, than that famed City, for being overcome by such weak Opposers. At this day Learning is more prevalent than to suffer such Dreams to pass without contradiction, and therefore all knowing Men now join with *Titus*, in the renunciation of that Title. Yet is there great difference in opinions touching the reason of the Name, and the Original of these *Franks*. Some (besides what we have said of that fabulous *Francion*) derive the Name from *Francus* their first King, who reigned many Years before the Birth of Christ. Others, and those not a few, will have them named *Franks* in the *British* Tongue, by *Valentinian* the Emperour, from their Courage and Ferocity. Some modern Writers held, that the Name was framed upon occasion, at what time such amongst them, as protested themselves their Leaders and Abettors, in recovering their Liberty, named themselves *Franks*, by which word the *Germans* in their Language, understand such as are free, and void of servitude. *Hotoman*, in his *Franco Gallia*, takes pains by instances to make this good; and *Matharell*, in his Answer to that Book, (which he terms no better than a scandalous Libel) doth assent to it; and long before them *Aventine* was of the same opinion, because the Name, in the same Language, they say and *Freidome* in the Teutonic Language, which Sinne is yet given to the *Franks*, being vulgarly called *De Freye Franken*, or in English the free *Franks*.

3. But as the Story of *Francion*, the Son of *Hellor*, hath no other foundation than that of Lyes and Fables, so that of *Valentinian* hath as weak an Argument to support it; for, to say nothing of the Etymology of the word, this People had not only the Name of *Franks*, but as such were very famous, even in Roman Writers, before the time of *Valentinian*. Against the Opinion of *Hotoman*, and his fellows, *Joannes Isacius Pontanus*, a late most learned Critick, opposeth, that *Frank* signifieth free, no more than anciently *Crethun* signified a *Liar*, *Sylvarie* denoteth a voluptuous Person, *Cimber* a Thief, to which we may add *Lydian*, by which word was sometimes signified a Man very effeminate. For the *Franks* being those who principally above the rest of their Countrymen, contended for Liberty against the Roman Encroachments, thence came their Name to be used in this signification, especially amongst the *Galls*; and indeed what *Aventine* cites in behalf of his own opinion, doth really make against it, *Frank* signifying free, in case that the word *Freye* was added to it, in which sense they say at this day the *Vry Freisen*, or the free *Frisians*, whereas if any one should term them *Francke Freisen*, or *Frank Frisians*, it would quickly be seen, that the word *Frank*, in that idiom, hath not the same force and signification of that of free, and consequently apprehend a great difference betwixt them. Neither doth *Procopius*, as he is made to speak by *Hotoman*, say that the *Franks* were first called *Germans*, and then called *Franks*, after they had passed beyond the Limits of their own Country: For he plainly writes that he would explain first how they got this Name, and then how afterwards they invaded *Gall*. And his mistake of *Tacitus* is as great, in thinking that he makes the *Franks* part of the *Carnifates*, for they lived behind the *Rhine*, in the Continent of *Germany*, but this on this side this River, within the Limit of the Roman Empire, or rather, as *Pliny* hath it, inhabited within the River *Rhine* itself.

4. Some will have this People called *Franks*, as *Frey on cy*, or free from Tribute, signified by the word *cy*, or *Fransh*, that is *Fry Ansh*, which later word, in the *Go-thick* Idiom, denotes those who excell other Men in Fortune and Wealth, in respect whereof *Hansh* and *Ansh* are the Appellations of the greater sort of Nobility only. But *cy* ought to be writ *Cyus*, and is not of Teutonic but Latine Original, being derived from *Census*. And in writing the word *Frankh*, violence is offered to the word, the latter syllable whereof ought to be spelled *ci*, and not *sh*. That Opinion of *Goropius Becanus*, that they were called *Franks*, as *Verranken*, or *Vryranken*, from the *Fraca* of the Hebrews seem too light and sporting to be seriously confuted. There have not been wanting who derive the word from *Freyanche*, which they interpret free Servants in the Teutonic. But no opinion is so ridiculous as that of *Turpin*, a Monk, little more elegant in his Writing than his Name, who, in the Life of *Charles* the Great, delivers it for truth, that he who first contributed money to the building of the Church of *St. Denis*, had the name of *Francke*, as if the name had been formerly unknown, and came first into use in the days of that Emperour. Amongst all these Opinions *Pontanus* interposeth his, which he thinketh most congruous to the nature of the thing, as well as the ancient signification of the

Hunibald.

Ado. Viennensis,
Archiep. Greg.
Turpinus. Abbas
Olpertensis,
Sigebertus, Go-
dofredus, Oer-
bicus.

Origin. Fran-
conum, lib. 9. c. 1.
p. 179.

Adrianus Junius
Hornanus, cap. 9.
Bat. p. 73.

Etymolog. Ger-
man. Althamei
Tacitus subjectus.

the word. His opinion is that they were called *Franks*, from a certain Weapon they used; which hath the name of *Franceca* in several Authors. *Gregory Turonenfis* it appears, that this Weapon was wont to be worn as well by Kings as common and ordinary Soldiers. This being more truly writ and pronounced *Francia* or *Francia*, might by writers not acquainted with the Language, and by other Foreigners be termed *Franceca*, and by *Tacitus* corrupted into *Francea*, which in this Author appears to have been a sort of Weapon peculiar to the *Germans*, and more than that, an Ensign of Respect and honour. None might bear Arms till approved by the City where they dwelt. Then in the assembly, whether the Prince, the Father, or some other relations of the party adorned the young man with a Target, and this *Francea*, which was the same with them, as the *Gown* amongst the *Romans*, and the first step to Honour. Now if it be natural, that the same way things are constituted, in the same they be dissolved, as taking off Ensigns of Degree and Order, hath ever been used for Degradation, as well as putting them on for Creation; or (as the word explains itself) Advancement; then by comparing this manner of Promotion or Creation of Soldiers mentioned by *Tacitus*, viz. by adorning them with this *Francea*, with what *Gregory Turonenfis* mentions of King *Clodionius* his Exalting or cashiering a certain Soldier, by causing him to cast away his *Franceca*, we may Judge them the same kind of Weapon, and to have been in great use and repute, and that for a long time amongst the *Saxons*. It was a sort of Spear or Javelin, whereof the Iron was short and narrow, but so sharp and convenient, that they could either fight therewith *Cominus* at hand-strokes, or *Eminus* after the manner of missile Weapons; far off and at a distance.

5. It is certain that several other Authors, (as *Procopius* and *Agathias* as well as others) make mention though not by the same name of such a sort of Weapon amongst the *Franks*, and this is to be said in behalf of *Pontanus* his opinion, that these *Franks* might as well receive a name from a certain Spear or Javelin, as the *Saxons* their Countrymen from a *Skeave* or *Scimitar*, which they called *Saxe* in their Language, for that the *Saxons* were thence so called is more probable, being the judgment of most Learned men, than what he infanceth in the *Quirites* of *Rome*, and the *Gastae* amongst the *Galls*, whereof the former he would have so named from *Quiri* a Spear, and the latter from *Gests* another sort of Weapon, these Etymologies which we have formerly in their due places given of each, seeming altogether as proper both as to name and matter. The formation of the word *Franceca*, he rightly judgeth as easie and natural as those of *Daciscus* from *Dacus*, and *Syriscus* from *Syrus*. The Weapon he thinketh might have the name from *Frey* and *Anke*, *Frey* being Free; and *Anken*, as *Kikanus* tells us, in the old Netherlands Dutch, to run in or fasten in, signifying the commodiousness of Fighting, either *Cominus* or *Eminus* with this Instrument. But why may it not be objected out of *Isidore*, that the *Franks* were not so named from this *Franceca*, but this *Franceca* from the *Franks*? Doth not *Franceca* seem rather Relative to, and Derivative from *Francus*; than *Francus* a more simple word be derived from *Franceca*? The word seems to father it self, were it not as easie to say a *Frank blade*, or *Franceca Franea*, (if we amongst others may lawfully spend our Verdict, the adjective *Franceca* having a relation to some other word,) as we say in English, a *Bilboa Blade*, or a *Sheffield or London Blade*, or for shortness; this is a *Bilboa*, &c. The Instrument receiving it's name from the Place and People, not the People from the Weapon. Neither doth *Pontanus* his reply at all weaken the objection, viz. That the *Saxons* themselves called the Weapon by the same name. Why not for distinction sake? Would an Inhabitant or Artist in any of those places formerly mentioned, disdain to call the Swords or Knives there made by their proper names? No disgrace is it for a People to own by the mark of its own name, any thing which is the product of its own Industry and Ingenuity. But on the contrary we may shew *Pontanus*, that Nations have been this, though not to give, yet to take a name from some such accidental thing, some inconsiderable Adjunct or other which their Neighbours discovering in them and distinguishing them most by, (as that which appeared to them most remarkable,) did thence at first denominate them. We can easily instance in those which call not themselves by that name whereby their Neighbours know them, which yet the *Franks* never disowned.

6. To conclude this contest about Names, the matter is very much in the dark, and not to be clearly discovered by any light we have from Antiquity. Yet what *Pontanus* brings in confirmation of his own opinion, rather makes us esteem and approve than reject, and condemn that of *Hotoman* and his followers. The influence

Lib. de moribus
German.

many was peopled from *Gall*, is not framed upon any Authority. It's probable they might both be inhabited by the same People, being both known by the name of *Celtæ* of old, and if *Strabo* be credited, the *Germans* being so called by the *Romans*, because they seemed the *Germanæ* or true Brethren of the *Galls*. Certainly it is agreed on by most, that their Languages were Originally the same as in due place may be discovered.

11. But the Gallick Language was not the same with the Greek, if we may believe *Varro*, the most learned both of *Greeks* and *Romans* who affirm, that the *Mafficiens* or Inhabitants of *Marfeilles* in Provence speak three Languages, Greek, Latin, and the Gallick confisting of, or bordering on, so many Nations. For first Colonies of the *Phœnices* were thither sent out of *Greece*, then afterwards was a Colony from *Rome* there placed, and the *Galls* if not mixed with them, yet were their next Neighbours, which vicinity and a consequent intercourse must needs teach them the Gallick Tongue. But *Bodin* in deriving the *Franks* from the *Galls*, and bringing them out of *Franconia* where he will have the *Tetiofages* to have taken up their Seats, is out both in his Geography and Chronology, for they first inhabited about the lower parts of the *Rhine*, lower than the Colony of the *Ubi*, where *Cæsar* and *Ptolemy* both place the *Sicambri*, then afterwards after many attempts Wars and alterations, having brought under all betwixt the *Rhine* and the *Meuse* with those about *Strasbourg*, the *Pangiones* and *Nemetes*, they invaded *Thuringia* and *Franconia*, called afterwards *Ostia* or Eastern in relation to the Western, which at this day is called *France*, whither as well as to other places they extended their Victorious Arms. Seeing therefore that before the very name of the Eastern *Franconia* was heard of, the name and people of the *Franks* inhabiting their most ancient Seats were very well known to the *Romans*, it ill becomes one who pretends to write a method and direction to others so far to forget himself, and to confound times in such a manner, either through ignorance, or more probable wilfulness. As for his *Tetiofages*, it cannot be at all probable that they should doe such Exploits in the World, whom *Cæsar* witnesseth in his time to have been content with the possessions they had already gotten; whereas the *Sicambri*, *Suevi*, and others were formidable to all, both *Romans* and their Neighbours. *Beatus Rhenanus* his Opinion is rather to be admitted, who thinks they were seated upon the River *Nicer*, where as yet remains an old Castle called *Teck*, retaining the first Syllable of the Name, that People which some rationally Conjecture was the Remnants of those *Galls*, *Florus*, l. 2. c. 11. who pierced into *Greece* and *Bithynia*, called by *Stephanus Tolstobog*, who are sometimes confounded with the *Tetiofages*. In Conclusion, for what *Bodin* brings us out of *Ammianus* and *Cæsar*, we may repay him with Interest out of the same Authors, who tell us, that the *Galls* were partly *Indigenæ*, and partly came out of *Germany* from beyond the *Rhine*; either driven by War, or forced from their Seats by the Incroachments of a troublesome Sea.

confusio & transitus trans Rhenanum, &c.

12. As this Frenchman out of his inclination to his own Country, makes Authors and Books speak that they never intended, so most German Writers out of the same Propension, will needs have *Franconia* the most ancient Seat of the *Franks*; and some of them for that purpose, make nothing of wresting a place of *Strabo*, where *Belyzæus* lying betwixt *Norici* and *Vindelici*, they will needs constrain to signify *Franks*. But for *Belyzæus*, in that place they ought to read *Belyzæus*, as more agreeable to certain places in *Horace* and *Pliny*, and it's evident from *Florus*, that both the *Norici* and *Brenni* were People living about the *Alper*, and so nothing a-kin to the *Franks*. Neither can *Melancthon* and *Pencer*, possibly gather from those words of *Strabo*, that the *Brenni* inhabited betwixt the *Norici* and *Vindelici*, his words being these; The *Vindelici* and *Norici* posses the exterior Mountainous places for the most part, with the *Brenni* and *Genanni*, who now belong to the *Illyrici*: So that their sight did much deceive them, who not being content to read *Brenni* in the Room of *Brenni* and *Franci* instead of it, make also so strange a Transposition of places. Against these Opinions as well as others, which being of less moment it would be both tedious and needless to relate, it might suffice to oppose that of *Procopius*, which affects the Country by the *Franks* first inhabited, to have lain almost at the Mouth of the *Rhine*; where were many Marsh Grounds. And that generally the *Panegyrist*s in their Orations, tell of the Piracies exercised by the *Franks*, so that they must needs, not only have lived near to the Mouth of the *Rhine*, but upon the Northern Ocean also, and as the *Panegyrist* call to

Vid. Pomani Orig. Franc. lib. 2. c. 6.

Florus, l. 2. c. 11. Plin. l. 5. c. 32.

Est. Bell. Gall. lib. 2. c. 11. Ammian. lib. 15.

Beatus Rhenanus mem. ranc Gallus fuisse populi partem Indigenam sed alios quosque ab Italia

Geogr. l. 4. Norici animas dabant Arcti ad Alpes, quo bellum non possit ascendere: Sed omnes illius cædis populos, Brennos, Sumos atque Vindelicos per privilegium Juam Claudium Drusum perpece vit. lib. 4. cap. 11. Belli Gæthici, lib. 1.

Quid loquar Franci nationes non tam late quædam Romanis invulsum sed a propriis ex origin. Gallis & ultimis barbaris Iuvencius evulgas & in desertis Gallie Regibus colloca parte Rheni imperii cultu, &c.

to *Constantine* the Great phraseth it, the farthestmost Barbarian shores. To be sure *Eutropius* speaking concerning *Caraculus*, tells us, that at *Bologne* in *Gall*, he undertook to scowre the Seas on the Coasts of *Belgium* and *Armorica*, which the *Franks* and *Saxons* by their naval Expeditions had infested. *Agabias* however, may in other things testify that they lived about the *Rhine*. An old Chronicle belonging to *Holland*, written in *Rhyme* almost four hundred years agoe, speaking of them before they Conquered *Gall* called them *Rhine Franken*. But *St. Hierome*, who lived before either *Agabias* or *Procopius*, and e'er that the *Franks* had passed the *Rhine*, and in good earnest attacked *Gall*, describes their Seat most accurately in these Words: Betwixt the *Saxons* and *Alemans*, a Nation not so great, as *Francia* vocatur in *Historiis* called *Germany*, but at this day *Francia*.

13. For understanding this place of *St. Hierome*, and clearing the Ambiguity of the word *Germany*; it's seasonable to remember, that whatsoever lyes betwixt the lower part of the *Rhine* and the River *Elbe*, and betwixt the Ocean and the *German Catti*, *Tacitus* the Historian calleth simply by the Name of *Germany* or *Germanies*, without any distinction of Superiour or Inferiour. He tells us, speaking of the Death of *Varus*, and the slaughter of the Legions that the *Germanies* revolted, which word can be taken for no other, than that Tract of ground now mentioned. In another place, he brings in *Tiberius* speaking of his Brother *Drusus*, and saying, that in no place except *apud Germanias* was the Title of a General, and a Laurel to be obtained. Neither can he be otherwise understood, where he describes the River *Rhine* flowing in one Channel, till it come to the Borders of the *Batavi*; to which he adds, that, Then it is divided into two Streams, and retains violentiam carbois its Name, and the violence of its Course, as it passeth by *Germany* flowing towards the Gallick shore, in a broader and a gentler Stream. In this Tract of Land called *Germany*, by a peculiar Name did the *Franks* inhabit, betwixt the *Saxons* and *Alemans*. For on the North and North East were the *Saxons*, the *Suevi* and *Alemans* possessed whatsoever lyes about the River *Meyne*, and the Southern part of the *Rhine*, almost as far as the *Danow*; whereupon the *Franks* must have been seated at the Western part of *Germany*, and of the *Rhine*. The *Saxons* therefore lay at their Backs, and the *Suevi* with the *Alemans*, closed their Eastern and Southern sides. *Orsius* tells us, that the *Saxons* being seated on the shoars of the Ocean, and unpassable Marshes, and making a dangerous Eruption into the *Roman* Borders, were in the Territories of the *Franks* overthrown by *Valentinian*. *St. Hierome* in the *Chronicon* of *Eusebius* at the Year of our Lord 389. notes that the *Saxons* were beaten at *Deuson* the Region of the *Franks*, which passage *Ammianus* who served under *Valentinian* at that time, placeth to the third Consulship of that Emperor, and his Brother *Valens*, *Pontanus* rationally conceiveth this *Deuson* the same, which succeeding Historians called *Duisium*, at this day *Duyts* standing over against *Coloine*; where long agoe a stone was found in a Monastery, with an inscription importing that that Fortref was placed in the Land of the *Franks* by the Emperor *Constantine*, wherein Souldiers were to lye in Garrison for the defence of *Gall*.

14. *Johannes Jacobus Chiffletius*, a learned Physician of *Brussels* will have this place to be now called *Duisburck*, situate on the other side of the *Rhine*, about *Colonia Trajana* (a Village of *Cleve* at this day called *Kellen*) but *Micans* in his *Chronicon* of *Belgium*, interprets *Deuso* as *Pontanus* doth in Latine *Tintinnum*, and *Duyts* in the Language of the place. Whether it was this or that: The Provincial Chart which *Beatus Rhenanus* saith he saw at *Ausburg* in the hands of *Conradus Penntinger*, and drawn in the Reign of the later Emperours, reconcilerth the difference. This Chart or Table published by *Ortelius* at *Antwerpe*, through the Care and Industry of *Marjus Velferus*; hath from the Mouths of the *Rhine* as far as *Coloine* all along (the said River designed so plainly, as well may be imagined) from the part of the great or Western *Germany*, this word *Francia* Characterized by Capital Letters, and towards the Mouths of the *Rhine* and the Northern Ocean, these *Chamani qui & Franci*, and *Chauci Vapluarii Chrepsini*, *Gregory Turonensis* makes the *Franks* opposite to *Ninefum* (or as *Micans* hath it *Nonefum*) a Town now called *Nuy*, and seated upon the *Rhine*, as also to *Coloine*, or the Colony of *Agrippina*. *Aimoinus* also expressly writeth, that *Clodio* the second King of the *Franks* from *Pharamond*, held his Court at *Dyppargum*, the same Town which *Chiffletius* takes for *Deuso*, called at this day *Duisburck*, and seated betwixt *Wesel* and *Dyfeldorp*. For all the Nations whatsoever, inhabiting over against the Sun-setting, betwixt the Rivers *Rhine* and *Elbe*, though amongst themselves, they had their particular and distinguishing Names; yet generally, and taken all together, were at this time called by that of *Franks*.

Sect. 1.

Indio Hist. apud Pontan. origin. Franc. c. ult. p. 28.

Inter Senones & Alemans gens non tam lata quam volida apud Historicos Germania nunc Francia vocatur in historiis.

Annal. l. 1.

Lib. 2.

Apud principium Agri Batavi in dices amnes Rhemus dividitur feruque nomen & Batavi; to which he adds, that, Then it is divided into two Streams, and retains violentiam carbois its Name, and the violence of its Course, as it passeth by Germany flowing towards the Gallick shore, in a broader and a gentler Stream. In this Tract of Land called Germany, by a peculiar Name did the Franks inhabit, betwixt the Saxons and Alemans.

Vindicie Hispanice, cap. 9.

Lib. 2.

Sect. 1.

The Franks go under the Name of Sicambri, Chauci and Chamani.

Their Seats.

The Chauci where.

15. It's certain, that these *Franks* amongst ancient Authours sometime go under the Name of *Sicambri*, other whiles of *Chauci*, and *Chamani*: As for the *Sicambri*, both *Suetonius* and *Tacitus* tell us, that *Augustus Cæsar* translated them into *Gall*, yet *Strabo* witnesseth that in his time, they were not quite and altogether removed out of *Germany*, saying expressly, that a little portion of them remained, and that they and the *Cimbri*, were most known of all the Nations inhabiting betwixt *Elbe* and the *Rhine*. Their Seat was probably, where at this day are the Territories of *Arneheim*, and *Velania* (especially where it joyns upon the River *Isala*, now *Isel*) reaching farther towards *Coloine*, and stretching out wide as far as the Rivers *Luppia* (now *Lippe*) and *Rura* whereof that washing the Walls of *Wesel* falls into the *Rhine*, and this mixeth it's stream with the same River at *Duisburg*. But *Strabo* not only placeth these *Sicambri* upwards upon the *Rhine*; but maketh them stretch also as far as the Ocean, which seemeth manifestly to contradict the Geography of *Tacitus*, who placeth the *Frifii* upon the Maritime Coast, from *Rhine* or *Isel*, as far as the *Chauci*. Yet must we stick to the Letter of *Strabo*, and with *Pontanus* easily suppose that in the time of that Geographer, and of *Cæsar* the Name of *Frifii* was unknown, and the same People known by the other of *Sicambri*, which was then so famous as to strike Terror into the *Romans* themselves. The words of *Strabo* do not a little confirm this Opinion, who makes mention of *Melo* a Captain of *Sicambri*, whose Name is no other than *Frifian*, as appears by several others, as *Bownones*, *Poppones*, *Fanthones* and *Milones*, and as *Ubbio Enimius* a learned Historian hath evinced in his own Name. Neither doth *Tacitus*, seem at the least to weaken this Conjecture, from whom it is evident the Name of *Frifii* became famous in the Reign of *Tiberius*, upon the miscarriage of *Apronius*.

16. The *Chauci* had their Habitation from *Amasis* (or *Ems* all along the shore as far as *Elbe*) *Ptolemy* divideth them into greater and lesser, whereof these inhabited the shore betwixt *Amasis* and *Visurgis* (now *Wefer*) and they that Tract lying beyond this River as far as the *Elbe*, so that *Tacitus* who maketh them to extend within the *Catti*, admires they should possess and fill so much Ground. The *Chamani* some call by the Name of *Camani*, by some thought the same with the *Camperes* or *Campani*, at this time differing only in one Letter; now to come to our purpose. Poets do not only call the *Franks* by the Name of *Sicambri*, but their Countrey, or *Francia*, also by that of *Sicambria*, as is notorious in *Claudian* and others. *Ausonius* includes them, in the other of *Chamani*: But all things considered, it's judged that the *Sicambri* were the true and Germine Mother People (as one may say) of the *Franks*. First, if we consider the situation of both, as well the one as the other, having inhabited both the Banks of the River *Rhine* to the West, and the shores of the Ocean whence they had such opportunity of Piracy, that the *Franks* not only therewith infested *Spain*, but vexed and plundered *London* the Metropolis of *Britain*, by their Incurfions from their Ships, as the *Panegyrist* in many words expresseth it to *Maximian*, their Predecessours having in the time of *Probus* roved about the Coasts of *Greece*, *Asia* and *Africk*, whence they were driven back by the Garrison Souldiers of *Carthage*. Secondly, if we consider the Authority of the Ancients, not only those of *Claudian*, and others formerly mentioned. *Trithemius*, the Abbat, makes mention of the saying of *Remigius* the Bishop, engraven in a Marble and extant at *Rhemes*, who speaking to *Clodoveus* King of the *Franks* being about to be baptized, used these words, *Mittis deponas colla Sicamber*, or *O Sicamber, gently put down your Neck*; which passage *Gregory Turonensis* confirmeth, mentioning the very same words, but adding thereto, *Adora quod incendisti & incende quod adorasti: Adore what thou didst formerly burn, and burn what thou didst formerly adore.* And *Venantius Fortunatus* an Authour, rather more ancient, who flourished about the 570 year of our Lord, calleth *Choribert* King of the *Franks*, by the Appellation also of *Sicamber*. Neither do the several dispositions of each Nation compared together less persuade, concerning the same Original. *Strabo* noteth the Deceitfulness of the *Sicambri*, and *Vopiscus* taxeth *Franks* with unfaithfulness. The *Sicambri* were so dreadful to the *Romans*, that *Augustus*, having composed all other differences throughout the World, yet delayed to shut the Temple of *Janus*, because they committed some Hostility against the *Galls*, and their Neighbours upon the *Rhine*. No less terrible, in following Ages, were the *Franks* not only to the Neighbouring *Saxons* and *Alemans*, but the *Romans* themselves, which *Egonhardus* Chancellour to *Charles the Great* testifieth to Posterity; writing also a Proverb, that *One should chuse a Frank for a Friend, but not for a Neighbour*: We might add much concerning their Apparel, their man-

Lib. 7.

Confule Pontanum ut supra, lib. 2. c. 5.

For godly men should not be in the world.

Sect. 1.

ner of Living, the Adornment of their Bodies, especially the wearing of their Hair. But these things in another place will be more convenient.

17. But having been so large in these former Discoveries, we cannot well pass the matter over, without taking notice of a more late Division of our *Franks* into several Tribes or Divisions, *Ansuarii* and *Salii*, as we have them marked out by *Ammianus Marcellinus*. *Pontanus* thinks them the same with the *Ansfarii*, whereof *Tacitus* maketh mention, who having been beaten out of their Habitations by the *Chauci*, got Possession of those Territories, out of which the *Frifii* had been driven by Command of *Nero*. The Historian calleth them a more powerful Nation, than that of *Frifii*. And *Pontanus* judgeth them to have been a People without any certain place or Possession, ready to joyn themselves to any other as they could find it Advantageous. That by Virtue of this Principle at such time as the remainders of the *Sicambri*, and the other *German* Nations lying toward the Northern Ocean, changed their former and ancient Names for the more honourable Name of *Franks*, these *Ansuarii* being given to Arms, willingly associated themselves with the said *Franks*, jointly to assert their ancient Liberty against any whomsoever, and hereupon, though received as Partakers in the common chance of War and Fortune, yet did they so far still receive their old and honourable Name, that they would be called *Ansfarii Franci*; whether one might not gather from this passage of *Pontanus*, that his Judgment at the writing thereof was for the Name of *Franks* to be derived from their profession of freedom, rather than a sort of Weapon, as in another place he expresseth himself, we leave it to the Reader to judge. But these *Ansuarii* were enrolled amongst the *Roman* Auxiliaries, being in the *Notitia* of the Empire read *Arupfnarii*, and reckoned among the *Palatine* Guards.

18. What the Original of these *Ansuarii* was, seeing Antiquity is therein silent, and whence they had their Name, we can only conjecture. The Etymology of the word seemeth to point at something extraordinary, which, if it be written *Ansuarii*, with an aspiration, a thing neglected and omitted both by *Greeks* and *Romans*, then it betokeneth some thing noble and excellent, *Hans* in the *Teutonic* and *Gotick* Idioms, signifieth those who in Fortune and Riches excelled other Mortals, as being rather of an Heroick Nature, and transcending the ordinary bounds of humane capacity. *Jornandes* saith expressly, that the *Goths* having overthrown the *Romans*, and slain *Frafcus* their Captain, named their Noblemen, as those who had conquered Fortune it self, not mere Men, but Demy Gods, that is to say, *Hanses*. Neither is this signification of the word wholly at this day abolished, signifying also such Gentle or Noble Men as are elevated above the common and ordinary sort. *Anshelm*, *Ansbrecht*, *Answald* and *Ansfriid*, seem to challenge no other Original, as neither the *Teutonic* *Hanse*, or the *Hanse* Towns of *Germany* associated and united, as it were, with the League and Oath of the *Ansfarii*. This Etymology much more suiteth those Towns than either that of *Anzee*, as it were situate upon the Sea, seeing that most of them are at a considerable distance from the Ocean, or the other of *Goropius Becanus*, who will have them derived from *Ansie*, signifying Society, from the German word *Anste* to look back. For it appears by sufficient Testimony, that the *Ansfarii* were, both as to their Nation, and by reason of their Arms, Men of Reputation, but though in one Society scattered here and there, without any certain Seat or Habitation, and so are these Towns separated far from one another, four of them only are Metropolitocal, *Lubeck*, *Danzick*, *Bruswick* and *Colem*, yet twenty two they are reckoned in number, many other famous Towns having been of old time joyued with them in the communication of Rights and Privileges.

19. The *Salii* were the other sort of *Franks*, who having invaded *Taxandria*, (now *Brabant*, the place where we reside at the writing hereof,) lying betwixt the Rivers *Meuse* and *Sceld*, were driven back by *Julian* out of these *Roman* Territories into their own place, as *Ammianus* relateth. Some, as *Beatus Rhenanus*, derive them from a River *Sala*, which falls into the *Meyne*: Others, as *Paulus Æmilius*, fetch them from *Sala*, which empties it self into *Elbe*. But *Pontanus* rationally concludeth, that from neither of these *Sals* could the *Franks* be so denominated, because the one runs through *Thuringia*, and the other through *Franconia*, (afterward so called) whereof a great part of the former, and all, or most, of the latter, were at that time held and possessed by the *Alemans*, *Ammianus* hinting as much, where he writes, that the *Bucinobantes*, a Nation of the *Alemans*, inhabited over against *Moguntiacum*, or *Mentz*, near to the *Alemans* the *Burgundiones* inhabited in these ancient times, it being out of the Road of all true Antiquity to suppose the

Lib. 16.

Lib. 19.

SECT. I. *Franks* then held any part of these Countries, their Seat being Westward, and lower down upon the *Rhine*, which appears partly from the fame *Ammianus*, who adds, that whilſt *Julian* was buſie againſt the *Alemans*, the *Franks* taking that opportunity from their own Seats, over againſt *Colein*, paſſed the *Rhine*, and fell upon *Juliacum* (now *Juliers*) and the *Rhemi* or *Rheims* in *Champagne*. It is not worth the while to relate how *Sidonius Apollinaris* derives the word from the Latine *Salio*, as if their Leaping and dancing had procured this appellation. But much more extravagant is that of *Goropius Becanus*, who, according to his Cuſtome of ſtrange alluſions, will have them named *Salii*, from *Sala*, the Ornaments of Horſes, or from *Sadell*, as it is in Dutch, or *Saddle* in Engliſh, as if they firſt had invented and fitted it to Horſes.

20. That is most rational which *Pontanus* brings of the *Salii* being so denominated from the River *Sala*, at this day called *Ifala*, or *Ifel*, near, or upon, which they inhabit. Hence is also to be deduced the name of *Sallandia*, or the Country lying beyond this River *Ifel*, it signifying no more but the Land or Territory of *Sala*. *Zorimas* the Historian speaking of *Julian*, by occasion, maketh mention of the *Salii*, who being part of the *Franks*, and driven by the *Saxons* from their Seats, passed over into the Island of the *Batavi*, bordering upon them. And *Claudian* the Poet makes them to have inhabited upon the *Rhine*, and there where it divides it self into two branches, over against which place that River of *Sala*, or *Ifel*, floweth; so that the Country of these *Salii* not only comprehended what as yet bears the Name of *Solland*, but took up also part of that we now call *Westphalia*. These *Salii* also, as well as the *Arupfarii*, were enrolled amongst the *Palatine* Auxiliaries. But from all the disquisitions laid together, we may take a short view of the ancient Seat of our *Franks*, and conclude with *Pontanus*, the old *Francia*, comprized not only all the space beyond and over against *Colonia Rhodunum*, (or *Coleines*) betwixt the *Rhine* and the ancient *Sala*, (the old Seat of the *Sicambri Rhemenfis*) at this day taking in part of *Westphalia*, and the Dukedom of *Cleves*, but also the whole *Transfalsania*, and what ground soever, as far almost as the utmost *Cbamci*, *Teutleri*, *Tubantes* and *Bructeri*, both the greater and lesser *Phrygians* possessed, which at this time are called *Zatphenians*, *Dresterians*, *Tuentenians*, the *Western* and *Eastern Frieslanders*, a large, ample Territory, and inaccessible of old time, by reason of Fens and Woods about the River *Wifurgu*, now commonly called the *Wefer*. Neither was there any other *Franks*, or *France*, known to *Trebellius Pollio*, *Vopiscus*, *Ammianus Marcellinus*, *Eutropius*, *Aufonius* and *Claudian*, Poets, the most ancient Author of *Pentingers Table*, or other Historians, Geographers, or Panegyristes, to the Age of *Valentinian* the third.

21. Having discovered their Original and ancient Seat, we shall now take notice of such Affairs as the means of their Condition by degrees presents unto us. And by the way, though we seek for truth and reality, yet we cannot but take a little notice of the Romantick stories which are dependents of their *Trojan* Pedegree. *Hunibaldus* is the blazoner of these false pretended Titles, who though by consent of all judicious and understanding Men he be accounted no other than what he is, fabulous even to Barbarism, yet some have not been wanting to receive, publish and cry up his Lyes, and amongst the rest, *Tritheimus*, the *Spanhemian* Abbat, who as his great admirer, epitomized eighteen Books of his Histories, and fears not to call him the *Solid Historiographer of the Franks*. But the Fountain of *Trojan* Vanities is of such a depth, that it hath afforded matter for all sorts of Cheaters, thence to draw and obtrude upon the World, out of which abys many, both *French* Fruccius, Gaguinus, Lactius, &c. and *German* Writers, following the Dictates of their Master *Hunibaldus*, derive a Series of *French* and *Sicambrian* Kings, ancienter not only than the Age of Christ, but that of *Alexander* the Great. Of these Kings they make two Ranks, some being *Bosphorians*, and of the Race of the *Trojans*, who, being accounted strangers, were reckoned amongst the *Sicambri* by the *Germans*. He that leads the dance is *Marcomirus*, in whose Reign the *Trojan Scythia* (afterward *Franks*) descended through the Countrey of the *Saxons* into *Germany*, and near the mouths of the *Rhine*, (where now the *Westfreslanders*, those of *Guederland* and *Holland* do inhabit) four hundred and twelve years before the Birth of Christ, died in the twenty eighth of his Reign, and twenty one after their descent into *Germany*. After him, in good rank and order, follows his eldest Son *Marcomirus*, in the Year of the World 3500, who deserves special notice to be taken of him by us, because he married, you must know, *Cambra*, the Daughter of *Belinus*, one of our *Geffrey* of *Monmouth*'s Kings of *Britain*, from which Woman the People was called *Sicambri*.

22. After

22. After him thofe *Sicambrian* Kings took their places. *Priamus*, one of *Trojan* Race, *Helemus*, *Diocles*, a moft doughty Champion againft *Goths* and *Galls*, *Helemus* the fecond, who being good for nothing, was forced to give his Diadem, and refign his Chair to his Brother *Bofanus*, a very brave Man, who built the Caſtle *Bajambucum*, in the Countrey of *Juliers*. Him followed *Clodomirus* *Nicanor*, *Marcomirus* the Second, *Clodius*, *Antenor* the Second, another *Clodomirus*, *Meroadacus*, *Caffander*, and *Antbarius*, who brings up the rere of this firft Rank or Order. His Son *Francus* begins the Second, from whom our *Sicambri* were named *Franks*, who making a perpetual League with the *Germans*, *Saxons* and *Dorings*, the *Romans*, were fo affrighted therewith, that they ſent an Army againſt the *Saxons*, the Leader of which, *Lollius*, was ſlain by *Clodius*, the Son of *Francus*, as *Lazius*, *Funcius*, and others, tell the ſtory. *Clodius*, or *Clogio*, as well he deſerved, ſucceeded his Father, in whole tenth year, they tell, our Saviour Chriſt was born, and who ſtoutly demeaned himſelf againſt *Tiberius* the Emperour. He was ſucceeded by *Helemus* his Son, whom followed *Marcomirus*, *Clodomirus*, *Antenor*, *Ratherus*, who, after many Wars againſt the *Galls*, built *Roteradam*, (rather *Ratherodam*) and fo we are to him beholden for *Eraſmus*, that three-tongued *Corypheus*, as *Lazius* calls him. Next comes *Richimerus*, who fought ſtoutly againſt the *Galls* and *Romans*; after him *Odemarus*, who took truce with the Enemy, *Marcomirus*, by whom *Francfurt* was built, or rather, now named, being formerly called *Heleupolis*, *A. D.* 149. After him are reckoned *Clodomirus*, *Pharabertus*, *Summo*, *Hildericus*, in whole time it became a Proverb, *Das iſt ein gut al Franchſck werck*, becauſe then our *Franks* applied their minds to building. Then did *Bariberus* take the Sceptre, in whole tenth Year, when the *Romans* under *Galiemus* had given themſelves up to Idleneſs and Luxury, the *Franks* undertook an Expedition into *Italy*, deſtroying all with Fire and Sword as far as *Ravenna*. And afterward aſſiſted by the *Saxons* and *Barbarians*, they invaded *Gall*, whence marching by *Tungeren*, and ſo through the *Belonacis*, or *Beannieſin*, beyond the *Seine*, they paſſed with flying Colours into *Spain*.

23. The next King in order was *Clodio*, during whose Reign the *Franks*, for the space of seven years, possessed a great part of *Gall*, about the Year of our Lord 298. Him followed *Waltherus Dagobert*, and another *Clodio*, who fighting valiantly against the *Romans*, was slain on this side the *Meuse*, A. D. 319. He was succeeded by his Brother *Clodomirus*, in whose time the *Thoringi* offered the *Franks* a large part of their Country, lying betwixt them and the *Saxi* on condition of being protected against Invasions and Injuries of these potent Neighbours. The *Franks* closing with this offer, about thirty thousand armed Men, with their Families, departed into this new Country, under conduct of *Genebaldus*, the King's Brother, with that condition, that this Colony should ever remain in obedience under command of the *Franks*. And so began the Dukedom of the Oriental *Franks*, who were governed four hundred and fourteen years by twenty Dukes, descended of the same Stock successively. But after *Clodomir* followed *Richimir* his Son, in whose time a fight was fought betwixt the *Franks* and the *Romans*, under conduct of *Thebrianus*, A. D. 338. Next *Richimir* came *Theodimir*, who in the Tenth Year of his Reign was, together with his Mother, taken by the *Romans*. At this time the Kings of the *Franks* dwelt in the borders of the *Timrigi*, beyond the River *Meuse*, in a Castle anciently called *Duispergi*: from the Borders of the *Franks* the *Galls* inhabited as far as the River *Ligoris*, or *Elire*, beyond which reigned the *Goths*. After him came *Clodio*, in whose time *Julian* had War with the *Alemans*, and the *Franks* possessed *Gall*, as far as the River *Seine*, and *Valentinian* fought with the *Saxons* in their Borders, on this side *Odera*, not far from the Sea.

24. The next in order was *Marcomirus*, during whose Reign *Jubalchus*, with fifteen thousand *Franks*, was cut off in *Aremorica*, or *Little Britain*, by *Maximus* the Tyrant. And *Marcomir* himself was slain, A.D. 393. by the Romans, who invaded the *Franks* under Conduct of *Valentinian*. After him (who left no Son behind him) was his Brother *Dagobert* created *Interrex*, in whose time *Valentinian* named them *Franks*, rather for their Fierceness than their Liberty. The second *Interrex* was *Gembald*, after whom *Pharamond*, the Son of *Marcomirus*, Duke of the Oriental *Franks*, was preferred to the Kingdom, A.D. 419. His Son *Clodiv* reigned twenty Years, and having invaded *Gall*, died in the Year 446. His Son *Meronius* having governed with much honour, died A.D. 458. though *foranodes* and *Sigionius* place his Death at the Year 455. Him succeeded *Hilderich*, who warred with the *Alemans*, who then inhabited betwixt *Italy* and the *Suevi*, and died in the Year 484. or, as *Sigionius* hath it, 481. Lastly, after him reigned *Clodomir* thirty

A Catalogue of
French and Si-
cambrian Rings
by Hunibaldus.

Seçt. 1.

thirty Years, who overthrew the *Alemans*, and being baptized by *Romigius*, died in the Year of our Lord 514. Hitherto *Trithemius* extendeth the History of those Kings which *Hunibaldus* had digested into eighteen Books, from whom also he affirms, that those *Franks* in the City of *Troy* spake the Language of that Countrey, in *Scythia* the *Scythian* Language, in *Germany* the *German* Tongue, and in *Gallia* that of *Gall*, in like manner as *Aeneas* at *Troy* spake the *Trojan* Dialect, and in *Italy* the *Italian* Language.

25. Though *Trithemius*, with his Companions, *Laxius*, *Beroaldus*, *Refiniocus*, and others, give credit to those tales, induced, as they imagine, by the Antiquity of *Hunibaldus*, the broker of them, who as they believe him, himself flourished in the days of *Clodowans*, five hundred Years only after Christ, yet can they bring no Evidence, only his single Testimony, which in a Man's own behalf is not to be regarded. On the contrary, it is objected against him, that besides the fables of the *Trojan* Project, which at the first sight the wisest Men are apt to reject, there are very probable, not to say pregnant, Arguments against his Antiquity. It is first alleged, that his style was barbarous, and favours not at all of that Elegancy which yet, in that Age, the Latine Tongue retains, as appears in *Boetius*, *Sidonius Apollinaris*, and others, of whom he is a pretended Contemporary. His talking of *Roterdam*, that noble Town of *Holland*, discovers the cheat, which being so named from the River *Rota*, or *Rotera*, (as *Amsterdam* from *Amster*, on which it is seated) not yet four hundred years ago, as *Hadrianus Junius*, and others, have observed, he yet mentions *Ratherus*, the pretended founder, his twenty third King in order, whom he buries there in the eighty ninth year of Christ. Who can be so stupid as to believe him, that if this City had been built at that time, by so great and eminent a King as he makes him, *Tacitus*, *Dio*, *Suetonius*, *Pliny*, and the rest of the *Roman* Historiographers, who are very curious in their Remarks upon these *Batavian* Countries, would not both have mentioned the Building of the Town, within the *Roman* Pale, and committed to posterity the Records of so great Exploits, as *Hunibaldus* will have this King to have performed against the *Romans*? It is also a wonder not easily to be removed, that *Gregory Turonensis*, who lived six hundred years after Christ, and consequently was junior to this *Hunibaldus*, who makes such disquisition, and took such pains in searching out any thing that might conduce to the discovery of the Affairs of the *Franks*, the Names and Succession of their Kings, should not in the least mention *Hunibaldus*, nor take notice of a Catalogue of Princes, so elaborate and formally digested.

Compared with
other Authours.

26. But if we examine a little his particular Stories, we shall find them altogether dissonant to the course of History and Geography, and discover them to be *Chimæra's* of an idle and impotent Brain. First, he brings *Marcomirus* the King, out of *Scythia*, whereas his Name is merely *German*, and most of those of the same *Classis* no other than plain *Greeks*. He makes him pass through the Territories of the *Saxons* to the Mouths of the *Rhine*, as if the *Scythæ* and *Saxons* had been Neighbours, and as if there had been such a Name as that of *Saxons* above four hundred years before the Nativity of Christ. Yet there hangeth a tale by this story. *Ado Viennensis* writes, that in the days of *Valentinian* and *Valens*, the *Franks* passing from *Sicambria* *Meotidis*, came to the utmost parts of the *Rhine*, and there, with their Captains, *Marcomirus* and *Summo*, took up their Habitation for some Years. Which passage this Impostour hath corrupted to his own Design, placing that several Ages before Christ, which indeed in no Age ever happened. It is very fond Geography for him to place the *Sicambri* near the Mouths of the *Rhine*, where now the *Hollanders*, those of *Guelderland* and *Westfreisland* inhabit. Who would not imagine that he was contemporary and acquainted with our *Geoffrey of Monmouth*, and that they too made up the match betwixt *Antenor* and *Cambra* the Daughter of *Belinus*, King of *Britain*, from which the *Sicambri* were forthwith so named? They two, and *Bersus*, (whom *Amnius of Viterbo* raised from the dead) were certainly Companions, and rare Heralds, in deriving the Pedegrees of People, Cities and Persons, from unknown and unheard of Records. But if they were named *Franks* first from *Francus*, the first King of the second *Classis*, what then becomes of *Francion*, the Son of *Heitor*, from whom they must have been denominated in the *Trojan* times? but as well from the one as the other; for though this *Francus* is supposed to have reigned above thirty seven years before Christ's Nativity, yet at that, and for some time after, the Name of *Franks* was utterly unknown, and that of the *Sicambri* very much flourished, till the latter end of the Reign of *Augustus*, who, under the Conduct of *Tiberius*, translated a part of them that had yielded, from beyond the *Rhine* into *Gall*.

Seçt. 1.

27. His story of *Lollus* is ridiculous above measure, both as to matter of History and Geography. First, it is not probable that the Name of *Saxons* was up at that time, if it were, how could *Lollus* come at them, who yet in the days of *Prolemey*, the Mathematician, lived beyond the River *Elbe*, without invading and infesting other Nations of *Germany*. But *Lollus* neither invaded *Saxony*, neither obtained any Victory, nor was slain in any Rancounter in these parts, or elsewhere. For as *Dion Cassius* expressly writes, the Batrel was fought on this side the *Rhine*, (*Germania Cispheana*) these Nations of *Germany*, *Sicambri*, *Ushpetæ* and *Tencleri*, having passed over that River, and circumvented not the Perfon, but Forces of *Lollus*, upon whose preparations for a fresh encounter, they retired into their old places, and *Lollus*, as is evident from *Velleius Paterculus*, was afterwards appointed by *Augustus*, Governour to *Caius Cesar*, his Grandson, who then warred against the *Peribian*, in which Expedition he died. That which follows concerning *Clodio*, Son of this *Francus*, agrees as well as the other with the ancient and authentick *Roman* Writers, from whom it is also as evident, that he could not fight with *Tiberius* in the fourth Year of his Reign, who as then had nothing to do with the *German* War, it being managed by his Brother *Druſus*, as yet living. His story of *Hilderick* his thirty Kings must needs provoke Laughter, in whole Reign he saith the *Franks* first began to build and apply their minds to Architecture, whereas he had formerly mentioned the building of *Roterdam*, by *Roterus* his twenty third King, and of *Frankfurt* by *Marcomirus* his twenty sixth in order: concerning *Bartherus* their King, under whom they should have invaded *Italy*: there is not one syllable to be found in any Authour. Neither of *Genebaldus* his leading a Colony into *Thuringia*, and there settling a Dukedom in the three hundred and twentieth Year of our Lord, that Countrey being at that time possessed by the *Alemans* and *Suevi*, neither the Name of *Thoringi* being as yet known. The Castle *Duytsburck*, where he writes the King of the *Franks* to have lived, was not in *Thuringia*, but below *Coloine*, situate in *Germany* the Great, and upon the *Rhine*, not on the *Meuse*, as this learned Geographer seems to place it. Still as good stuff he writes on the *Saxons* being overthrown by *Valentinian* on this side *Odera*, which runs its course beyond *Elbe*. His Memory, contrary to the Art of Lying, is very bad, in telling the Tale concerning *Valentinian* his naming the *Franks* from their ferocity, having formerly derived the appellation from his doughty King *Francus*. His *Dagobert's* Person is a fiction, as well as his Office of *Intrex*. Indeed in *Thuringia* are many footleaps of such a Name, as *Dagobertera* near *Erford*, and *Dagobertusha* near *Marpurge* in *Hassia*, and another Village of the same Name near to *Coloine*, but these received their name from other *Dagoberts*, whereof one lived in the Year 632, and the other 716. when the Name of *Oriental France* came to be in use, and the *Franks* possessed all *Thuringia* or *Franconia*, whereas at this time of this supposed *Dagobert*, or A. D. 394. there was no such thing as *Orientalis Francia*, or *Franconia*. But this Impostour, perhaps a Native of this Countrey long after, as well as others in later times, to do it honour, hath not been sparing to obtrude false and coined stories upon the World, and brings this *Dagobert* out of that place to insert him amongst the Kings of the *Franks*, that from him passing to *Genebald*, he might from *Genebald* bring the Title and Honour upon *Pharamond*, as derived from his Dukes of *Oriental France*.

28. Having already been more tedious than the nature of our design may seem to require, induced by the Greatness and Glory of the *French* Nation, in discovering the cheats of *Hunibaldus*, and his Companions, we shall address our selves to the ancient Monuments of authentick Writers, and thence see what may be had concerning the true Series and successions of their Kings. To let pass those of the *Sicambri*, whilst that Name only obtained, and come to the time of *Galienus* the Emperour, in whose Reign the Name of *Franks* became first to be known, the first we meet with in any good Authour, that have the Title of Kings, after that time, are *Genebaldus* and *Eſcar-teck*, during the Government of *Diocletian*, A. D. 288. being both named in a Panegyrick of *Mamertinus* to that Prince, and *Maximian* his Colleague. After them are to be found *Ascaricus* and *Radagisus*, the same *Maximian* governing the Empire, together with *Constantius*, A. D. 292. who breaking the Peace made with *Constantius*, were too cruelly punished by *Constantine* the Great, his Son, as *Eutropius* writes, being cast to wild Beasts, which fast yet *Emmonius*, the flattering Panegyrist, extollethe. In the days of *Constantius*, the Son of *Constantine*, A. D. 342. we meet with *Malarichus* whom *Pontanus* judgeth a King, though called only by *Marcellinus* the Rectour of his Countrymen in the Emperours Palace, for *Constantius* thought it better Policy to oblige them by good turns, and by promoting them to Honours

Genebaldus the
first King of the
Franks.

Aſcaricus and
Radagiſus.

Malarichus.

Lib. 54.

Hist. l. 2.

Leges Pontan. ubi
ſuprà, lib. 3.
cap. 6.

Se^{ct}. 1.
Melobandus.

Honours to keep them in quiet, and use them against the *Alemans* and other *German* Nations, than to imitate the severe example of his Father. After him *Melobandus* flourished with the Title of Tribune in the Court of *Constantius*, who in the Reign of *Valentinian*, *Valens* and *Gratian* was King of the *Franks*, at that time the good Friends and Allies of the Empire, and as *Ammianus*, an Eye-witness, tells us, was *Comes Domestricorum*, and a very valiant Man, by whose conduct the *Romans* had a great Victory over the *Alemans*, whereof a great number was slain, together with *Priarius* their King, and *Gratian* improving the Victory, passed over the *Rhine*, and there achieved so much Renown, as the Awe thereof continued in Peace the Western parts of the Empire. Neither was *Melobandus* less valiant and victorious at home, *Ammianus* giving him the name of *Bellicosus*, and for farther confirmation, relating how *Macrianus*, King of the *Alemans*, invading *Francia*, was circumvented and slain by his Arts and Policies.

Richomerus.

29. The next that follows is *Richomerus*, or else *Theodomerus* his Son. *Richomerus* was *Comes Domestricorum* to *Gratian*, and did many eminent Services for the *Romans*, but it should seem from *Gregory of Tours*, the Historian, that *Theodomerus* revolted, and practising something against them, was put to death, with *Arcila* his Mother. *Richomerus* was Consul the last Year of *Gratian*, A. D. 384. so that the death of his Son must have happened afterwards, in the Reign of *Theodosius* or *Arcadius*, about the Year 400. These two were succeeded by *Marcomirus* and *Sunnus*, two Brothers, who are mentioned in the Affairs of *Valentinian* the younger, presently after the Death of *Gratian*. *Gregory* adds *Genebaldus*, a third to them, concerning whom, so far as the History of *Salpinius Alexander*, whom he cites, is lost, nothing can be certainly affirmed. But as for the other two, their valiant Exploits are upon Record, especially those of *Marcomirus*, who at such time as *Maximus* was besieged in *Aquileia* by *Theodosius*, invaded the Lower *Germany*, and making great havock with Fire and Sword, struck great terror into those of *Coleine*. Afterwards he was banished into *Herruria*, and his Brother *Sunnus* appearing in his behalf, was made away by the People. From this *Marcomirus* (counting from that time when he is first mentioned in History, during the Reign of *Theodosius*) unto *Pharamond*, are reckoned about thirty years, which might give occasion to several Chronologers, as *Sigebert Gemblirensis*, *Ado Viennensis*, and others, to think *Pharamond* the very same of *Marcomirus*, although there be no certain testimony of such a thing to be discovered in Antiquity; for neither *Gregory Turonensis*, nor the *Chronicon* of *Prosper*, (which *Scaliger* calleth *Consulare*, and hath added to the later *Chronicon* of *Eusebius*) make mention of *Pharamond*. But of *Clodius*, whom they make the second King of the *Franks*, after *Pharamond*, both *Gregory*, *Sigebert*, *Ado* and *Sidonius Apollinaris* his Contemporary makes ample mention, though sometimes for the verses sake called *Cloro*, now *Clodius*, otherwise, as by *Castellorus*, *Flodonicus*, and *Clogio*, but by *Aimoinus*, as he is now commonly read expressly *Clodio*. After him are reckoned *Meromeus*, *Hildericus* and *Clodonius* (or *Flodonicus*, as *Remigius* calls him) the first Christian King of the *Franks*.

Marcomirus and Sunno.

Pharamond.

Clodio.

Meromeus, Hildericus.

SECT.

SECT. II.

The Achievements of the Ancient Franks, from the Reign of Genebaldus, to the Death of Childerick.

The space of one hundred ninety six Years.

1. FROM the time of *Gallienus* and *Valerian*, wherein the *Franks* were first known to the World, to the Reign of *Clodio*; from which, or else from *Pharamond*, the Modern French Historians begin their Annals, passed about one hundred and seventy Years, in which space of time very Eminent Actions, and great Achievements were performed by them, on both sides the *Rhine* against the *Romans*. Those effects of theirs tending to the Destruction of the Western Empire, and at length effecting it in a great measure, are already described and illustrated in their proper place, and therefore we shall but here give the Reader a short view of them, for the recalling of them to mind, by presenting him with a short Recapitulation: The first thing therefore we hear of them, is, that they assisted *Posthumus* against the Emperour *Gallienus*, and after that, as well the Traitour as the Prince was slain, fell in upon the Fortifications, and demolished those which had been raised by the same *Posthumus* seven years before; being by *Trebellius* the Historian, sometimes called *Franks*, sometimes *Germans*. Under *Valerian* they passed the *Rhine*, and undertook an expedition of no less Consequence, but were after much Mischief done to the *Romans*, set upon by *Aurelian* at unawares, who slew of them seven hundred, and sold three hundred for Bond-slaves. Some of them served yet under this *Aurelian*, when he was sent Vicar to *Ulpian Crinitus* in the East, but when their Countreymen grown bold upon the absence of the *Romans* from the Borders, roved through *Gall* as far as *Spain*; he being now declared Emperour, clearing all *Gall* of them, drove them back into their own Countrey, and restored the Limits of the Empire (*viz.* the *Rhine* and those parts about it) to their Ancient quiet and Security.

The Franks assist Posthumus against Gallienus the Emperour.

Putting the Rhine, are beset by Aurelian.

2. But this quiet and security, continued not long, nor *Gall* free from their Incursions, which in the Reign of *Tacitus* and *Florianus* they renewed, and presently were with much violence prosecuted by *Probus*; who was resolved to clear both the upper and lower parts of the *Rhine*, of such ill Neighbours, which made him joyn with *Proculus* and *Bonifus*, who took then upon them the Purple at *Coleine*: Yet did they betray *Proculus* to him, who had fled to them, and pleaded Kindred with them, as *Vopiscus* writes. *Probus* having taken many of them Prisoners upon Promise, as it seemeth, of quiet and dutiful demeanour, gave them a Territory to inhabit about *Projontis*; but they making as little Conscience of their Faith to the *Romans*, as those did of their Fidelity to their Princes, and acted by that itch of Glory and Wealth, which in these late Ages had so irritated those Northern Nations, seized on a great Company of Vessels, wherewith they roved about the Coasts of *Asia* and *Greece*, invaded *Sicily*, and took *Syracuse* it self, so Famous for its naval Victories; then Coasting about, and doing much damage to the Coasts of *Africk*, they were at length repulsed, by the Garrison Souldiers of *Carthage*, and passing through the Straits of *Gades*, came back by the Coasts of *Portugal* and *Spain* into the Chanel, and so into their own ancient Countrey, which lay part upon the *Rhine*, and part upon the British and Northern Ocean. But upon report, of the Death of *Probus*, both they and the *Saxons* thought they had an opportunity put into their hands, which they improved to good purpose by Inroads, made into the *Roman* pale; for *Carausius*, whom *Diocletian* had sent against them, bore himself rather as one that would part stakes with them, watching his opportunity how he might seize upon *Britain*, and assume the Title. The *Franks* therefore making use of this Distraction, infested the *Roman* Empire both by Sea and Land, and

They seize of part of Britain.

T t

Se^{ct}. 2.

Zozim. lib. 2.

SECT. 2.

seize upon the more Maritime parts of *Batavia*, where they fix themselves: This and other Difficulties, caused *Diocletian* to make *Maximian* his Collegue, who coming to *Batavia* sets upon them, though in almost unaccessable places; and after much strugling of both sides for the Victory, forceth them to submit. Their Kings *Gennobaldus*, and *Estrack* as he is (corruptly sure) called by the Panegyrist, received upon their Submission; the one his Kingdom, and the other some great Gift. Yet notwithstanding, *Maximian* removed a great number of Families into the desert places of *Gall*, that they might with their own Labour and Service, replant and repair what they themselves had wasted, that their Country might be drained of, and the Roman Territory supplied with Inhabitants. Or, it being all most impossible for want of Corn upon the Borders to defend them against those Rovers, who still by their continual Wars and Exercises, learnt more Experience and Discipline, that the Grounds might be Tilled by those had wasted them, and by taking their Youth into the Roman Legions, in process of time they might oppose *Franks* against *Franks*.

A second Invasion of *Batavia*.

Afcaricus and *Radagisus* French Kings slain.

3. Politick Resolutions, especially if founded upon Martial Actions, meet with many Rubs, and feel most commonly the force of the Change, and Vicissitudes of humane Affairs. What was thought to have done the Work, and completed the business about the *Franks*, did but increase and stir them up to a new Attempt, as soon as time and opportunity would favour them. When the *Rhine* now by extremity of Frost, and a very hard Winter was Frozen over, a great number of them under Conduct of their Kings *Afcaricus*, and *Radagisus*, the second time invaded *Batavia*: By this time *Maximian* had given up the Charge of *Gall*, and the Western parts of the Empire to *Constantius Chlorus*, who making ready for an expedition into *Britain* against *Alectus*, who had killed *Carausius*, and invested himself with the Purple, and Authority, had the Work done to his hand by *Asclepiodotus*, the Prefect of the pretorian Guards; by whom *Alectus* was slain near *London*, and a great multitude of *Franks*, having escaped into the City, when after they had loaded themselves with plunder, they thought to escape, were put to the Sword; having made up the greatest part of *Carausius* his Forces, and maintained the Quarrel so long in defence of him and *Alectus* his Successour: Presently after this, *Constantius* making the same advantage of a Thaw, as they had done of the Frost, conveyed his Army over the Rivers, and so straitly besieged them, that they were constrained to beg Peace, and a great number of them were again transported into *Gall*, to learn Civility, and cultivate their Barbarous dispositions. But *Constantius* being Dead, the two Kings despising the Youth, and Rawness of his Son *Constantine*, and breaking the League made with his Father, invaded the Roman Territories, having passed over their Forces near the division of the Stream, into the *Rhine* and the *Wale*. *Constantine* conceiving his Honour nearly touched, sent his Army against them, which taking them at unawares made great slaughters, and among other Prisoners took *Afcaricus*, and *Radagisus* the two Kings; whom with as many of ripe Age as were taken, he subjected to various Torments, and finally cast them to Wild beasts in the Theatre, for which brave Fact he extolled, by the flattering Panegyrist, who yet do them some kind of Honour in comparing them to the two Snakes, which *Hercules* in his Infancy (as *Constantine* in his infant Government) is said to have strangled. This being done, *Constantine* invaded their Territories, as far as the *Druiteri*, where he made great Havock of the Country, and glutted Wild beasts with the multitude of those *Franks*, who were so stout by Confession of their Enemies, as not to start at the Terror of the Punishment; but willingly would look Death in the Face, and that in the Countenance of fierce and cruel Lions.

4. *Constantine* having thus succeeded, that he might for the time to come, have a free and ready passage into their Country, or rather to shew how little he stood in fear of them, and to awe them with the Majesty of the Empire; built a Bridge over the *Rhine*, where it ran by their Country. Yet did not these things so fright or awe them, but that still they took hold of all fit opportunities to invade the Roman pale, which caused this Emperour afterwards, being himself otherwise diverted, to send his Son *Crispus* to defend the Limits against their Inroads. After the Death of the Father, they assisted *Constantine* the Son in the Invasion he made into the Territories of his Brother *Constantius*, who after *Constantine* was Murdered at *Aquileia* waged War with them, and at length compelled them to retreat into their own Countries. After the whole Empire had fallen to the share of *Constantius*, by the Death of his two Brothers, he so far considered their Natures, that thinking them not capable of being beaten into better Manners, he resolved

Cum per frequenter respectu Gennobaldus, Estrack vero minus acciperet, Mamerinus ad Maximianum.

A. D. 325.

to try them with Kindness. Therefore did he give them what by Force they had so long attempted; removing them into the adjacent parts of *Gall* and *Germany*, and preferred the chiefest of them to Commands, and honourable Employments about his own Person, as *Malarickus* the King, *Mellobandes*, *Lavigaisus* and *Silvanus*, who Governing the lower *Germany* with great Wisdom and Courage, was falsely accused to *Constantius*, as if he affected the Sovereignty, and plainly Forced, when the Emperour could by no means be brought to have a good Opinion of him, and he was made to believe, that the *Franks* his Countrymen would not harbour him, to take upon him the Purple, which done, he was betrayed, and slain by his own Men, who by great Words and fair Promises, were corrupted by *Constantine*. Besides the knowledge of Arms, and the Conduct and Valour of a Commander, joyned with an honest mind, and the Merits of *Bontius* his Father (which Commendations, *Ammianus Marcellinus* an Eye-witness gives him) *Aurelius Victor*, witnesseth in his behalf, that he was of a most Courteous and affable Disposition, and though of barbarous Extract, sufficiently adorned with the Learning and Breeding of a Roman.

They again infect the Roman Pale, but are beaten by Julian.

The *Salii* forced to yield.

5. Either his Conduct, his Interest, or both sufficiently appear in this, that as his Countrymen kept themselves still, during his Government, presently after his Death, as if the obstacle was now removed, they bare down all before them, and passing over the *Rhine*, over-ran a great part of *Gall*, having taken forty Cities situate upon the River, and therein an unspeakable number of Slaves, besides infinite Booty. For this and other Causes, *Constantius* took *Julian* his Cousin German into the Partnership of the Empire, who e'er he came to the Charge of *Gall* and the Borders, received the News of the taking of *Coloine* by the *Franks*, where-with he was so struck, that he was often heard to mutter to himself, that he had gotten nothing more by his late promotion than to perish in greater Employment. He took *Augustodunum* (now *Autun*) which the *Franks* had seized on, and thence adventured upon *Amifodorum* (at this day *Auxerre*) whence marching to the *Tricauni*, he was set upon by numerous Enemies, but had the better, taking or putting them to flight, how resolute soever. Piercing farther into the Countries, and sending far before him the Reputation of a Conquerour, he almost as soon took as saw the City of *Coloine*, having it rendred up by Composition after a Peace made with the Enemy. During this Peace, he made use of the *Franks* against the *Alemans* and others; but it was not long e'er they broke it, and when he was employed elsewhere, seized on a Castle seated on the Bank of the *Meuse*, which retaining yet it's Name in part (*Kesell*) he besieged, and fearing that they within might take the advantage of a dark Night to escape over the Ice, he caused Boats to be continually rowed by the Souldiers up and down to keep a Channel, and thereby compelled them for want of Necessaries to yield. Taking up then his winter Quarters at *Paris*, he returned and unexpectedly fell upon that sort of *Franks* called *Salii* in the Spring; who not long before, had taken the Boldness to plant themselves in this Country of *Taxandria*, now *Brabant* in the Roman Soil. Who sent a Messenger to desire of him, that they might live peaceably in their new obtained Possessions; but he caused them to yield themselves to his disposal. Having handled the *Chamanni*, who followed the Example of the *Salii* in the same manner, he repaired the Castles, which being formerly built upon the *Meuse* the *Franks* had razed.

6. But how these *Salii* came to take up their Quarters in *Taxandria*, or here about *Breda*, we must not fail to take notice out of *Zozimus*. The *Saxons* for some reason or other unknown to us, bore them mortal Hatred (their only Crime it's probable, was the Convenience and Fertility of the Soil) and therefore making a strict Alliance with the *Quadi*, a People bordering on the *Sarmatae*, resolved utterly to destroy them; and so they had done, but that they were awed by the Fame and Glory of the common Name of *Franks*. They forced them to quit their Habitations, some passing over into *Taxandria* or *Brabant* and others, seizing on the Island of *Batavia* afterwards: The *Quadi* either set on by the other, or moved by the desire of Gain built them Vessels, and passing down the *Rhine* by the old *Francia* entered *Batavia*, whither the *Salii* had been driven back by the *Saxons*, resolving utterly to dispossess them of the Island, which they had as it were made their own by primer Occupation. *Julian* received the News of this their Boldness with much Stomach, and Commands the *Quadi* to desist from their Enterprize, which they durst not but obey, and wherewith the *Salii* perceiving themselves delivered of an imminent danger in way of Gratitude gave up themselves, and all they had into the Power and Protection of *Cesar*. The *Quadi*, though they had lost their prime Gain, yet were resolved not to sit quite out; Robbing and rifling on

SECT. 2.

A. D. 342.

Lik. 3.

Sect. 2.

The Quadi submit.

the Sea-Coasts privily, and by stealth as they could whereby they rather much disquieted, than endamaged the Roman Subjects. *Julian* yet affected that by cunning, which he could not doe by plain Force, and brought them to such straits, that they were forced to submit, which being done, he lifted many both of them and the *Salii* in the Legions, of whom the Companies continued till the time of *Zozimus*. But as for our *Franks*, though the *Salii* had reason to be quiet, who were either permitted to continue in *Batavia*, or were removed over the Water to other Convenient Seats: Yet the *Anfuarrii* would not contain themselves, but made Incursions afresh into the Neighbouring parts of *Gall*, at such time as *Constantius* suspecting that *Julian* aspired after the Empire sent Letters to Check and Admonish him to keep himself within the modest bounds of *Cæsar*. Being saluted *Augustus* by his Army left he should be blamed for Idleness, having returned a Message to *Constantius*, he marched into the Borders of *Germania Secunda*, and passing speedily over the *Rhine* fell unexpectedly upon the *Anfuarrii*, who expected nothing less than such an attack, trusting to the difficulty of the passages, through which never yet any Prince had Pierced. He easily overcame them, killed and took many, and gave those that remained such Conditions as him best pleased, having got this advantage by this Expedition, as he imagined, that by the Terror thereof, the Neighbouring Barbarians would be kept in good Order, and the Borders remain in a settled Condition.

And Anfuarrii overcome.

7. As long as he lived it so came to pass, these Nations beyond the *Rhine* thought it sufficient, that none molested them within their own Territories. But he being Dead, *Zozimus* tells us, they were presently up again, resolving to make War upon the *Romans*. *Ammianus* makes it a Common, and united design of them and the *Saxons* together, which that he might be able to withstand and prevent for the time to come; the Emperour *Valentinian*, not onely disposed his Forces of Horse and Foot into convenient places and Garrisons, but strongly fortified the Borders of *Gall*, all along the *Rhine* from the *Rhetii*, as far as the Ocean, with Castles, strong Forts and Towers. The *Franks* hereupon desisted, but the *Saxons* proceeding in their design, were first overthrown by *Severus* the Roman Captain, and after they had submitted, and had Peace given them, were perfidiously cut off by an Ambush laid for that purpose, in the place called *Desuo*, in the Countrey of the *Franks*, (as is Conjectured) *Deutzium* a place situate over against *Coloin*. At this time *Mellobandus* or *Mellobandes*, was King of the *Franks*, the *Comes Domestitorum* as is formerly said, in the days of *Valentinian* and *Gratian*; against whom *Marcellianus* King of the *Alemans*, having made a Peace with the Emperours, advanced with an Army, wasting all the Countries with Fire and Sword, and was received, and by the Strategems of *Mellobandes* overthrown and killed. Now were the *Franks*, the Allies and Associates of the *Romans*, many of them flourishing in such Grace with the Emperour; that *Mellobandes* arose to the very Dignity of Consul, which Honour he obtained, not onely through the Favour of *Gratian*, who was indeed very well inclined towards his Nation; but also for his singular desert and good Service performed in the Wars, in respect to which he was made General, by *Valentinian* against the *Quadi*, and *Sarmatæ*. *Mellobandes* afterwards under *Gratian* overthrew a great Force of *Alemans* at *Argentaria*, a Town situate upon the River *Elsbellus* above *Strasburg*, in which Battel *Prigarius* (by some corruptly called *Prigamus*) was slain, and with him thirty thousand of his Men, as *Ammianus* writes; who also in the War of *Thrace*, which *Valens* unfortunately managed, gives to *Richomeres*, the *Frank*, the greatest praise of preserving the Roman Army. *Valens* miscarrying in this Expedition, the Northern Nations still continue their Inroads, which caused *Gratian*, who being himself but twenty years of Age, had his Brother for his Colleague, but thirteen years old, to salute *Theodosius* with the Title of Emperour. He being sick at *Thessalonica*, and the Barbarians out of *Thrace*, invading *Macedonia* and *Pannonia*; *Gratian* was constrained to send *Bauto* and *Arbogastes*, two *Franks*, against them, who overthrew the *Goths* in *Macedonia*, and forced them to return back into *Thrace*.

Mellobandus the French King beats the Alemans.

Ammian. lib. 20.

Lih. 4.

Lih. 26.

A.D. 324.

They invade the upper Germany.

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cefs against them, that the Roman Captains consulted, whether they should not improve it by an Invasion of *Francia* it self. *Nauxius* would by no means yield to so dangerous an attempt, and returned to *Mentz*; but *Quintinus* his Colleague (for to them two had *Maximus* committed the Care of his young Son, with the defence of *Gall*) animated by the importunate desires of the under Officers would needs proceed, and passing the *Rhine* about the Castle *Ninefium* (at this day *Niess*) found the Villages void of all Inhabitants, which he Commanded instantly to be set on Fire. But passing farther on, they were cunningly by the Enemy drawn into Bogs, Woods, and unpassable places, where by the envenomed Darts of the *Franks* they were out-right killed, or died of lingering Deaths, swallowed up by the Quicks, or disadvantageously fighting, were most of them cut off and slain, very few escaping through the darkness of Night and covert of Woods. This overthrow and Disaster is by some esteemed not much inferior to that of *Varus* in the time of *Augustus*, considering that *Quintinus* would not against so Valiant a Nation, whereof his Colleague stood so much in fear, lead less than three Legions. And whether *Arbogastes* who being appointed General by *Theodosius*, against *Vidlor* the Son of *Maximus*, and had discomfited and slain him after the fight, thought that by reason of so great a Disaster received from his Countrey men, he himself and those about the Court were in danger, out of hatred to the two Kings *Sunno* and *Marcomirus*, or really being bent according to his Oaths Military and of Allegiance, to advance the affairs of *Rome* though in the destruction of those of his own blood, he advised the Emperour to require satisfaction for what injury had been done, and to give up these persons who had been the Incendiaries, the procurers, and fomenters of the War.

Gregor. Turonis ex Alexand. Sulpitio, lib. 2.

Marcomirus and the French beaten by Arbogastes a Frank, but General to the Emperour.

9. The Emperours were so prudent, as to consider what *Tacitus* the Historian long before had asserted, that the only way to Conquer the *Germans* was to set them at odds amongst themselves, and therefore gave him Commission, to exercise his Enmity or private grudges in such a method as his own Judgment should best dictate to him. He marching to *Coloin* in the sharpest time of Winter, resolved to invade them at that season, when the Trees being destitute of Leaves should afford as little shelter and covert as could be, and passing the *Rhine* fell upon the Quarters of the *Bruderi* and *Æsa*, a Village inhabited by the *Chimani* none appearing to make any resistance except a few of the *Anfuarrii* and *Catti*, who under Conduct of *Marcomirus* onely shewed themselves upon the Mountains, and as well at this time as upon other occasions he so bestirred himself, that for two years the *Franks* dared not to make any attempt of moment upon *Gall*, or any other place of the Empire, till solicited and induced by the same person, that now so zealously withstood their invasions. *Arbogastes* elevated much with his success, and that favour and countenance he had received from *Gratian*, was by this time heightened to such confidence and resolution as to brook no Superiour. Being by *Gratian* preferred to the place next to *Bauto* his Countreyman, after his Death he arrogated to himself the chiefest command, without any commission or consent of *Valentinian* the young Emperour, having all the Souldiers at his Devotion, whom he so much obliged by a seeming contempt of money, (though he had great wealth, and through his good Conduct and Prosperity in all attempts,) that he would plainly countermand such Orders as were given by the Emperour how just and convenient soever. The young Prince patiently enduring what he was not able to remedy, at length when he understood that the Barbarians inhabiting about the *Danow* were about to invade *Italy*, resolved to march in person, and use his utmost endeavour for the relief of that Countrey. He acquaints therewith *Arbogastes*, who according to his custome of contradicting whatsoever he propounded, dislikes the design, which so enraged the Emperour, that he drew his Sword and had therewith made at him, but being hindered by an Attendant, fell upon him with Reproaches and reviling Language; Boiling still with Indignation against him, on a time he gave him into his hands a Paper, whereby he abrogated his power, and revoked his Commission, which after *Arbogastes* had perused, being moved to a great degree of Passion, he plainly told him, That as he did not give him, so neither should he take from him his Authority.

Cæsar Genitibus transibantibus si non amur Romanorum ac certum sui quoniam imperis suis nihil præstare fortuna magis possit quam nostrum discordia, lib. de moribus Germanorum.

10. By these and other means an implacable hatred and capital Enmity was begot betwixt them, which the poor Prince wanting Power could not improve to any real disadvantage towards his adversary. *Arbogastes* let him feel the first effects of his Strength in shutting him up in the Palace, and deverting him of the Honours due to his imperial Dignity, to such a measure, that he little differed from a private man, and what attendants and respect he had being worse than none, because performed

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performed by *Franks* and such as observed more the nods of *Arbogastes*, than the Commands of *Valentinian*; Hereupon the Emperour by Letters implored the Assistance of *Theodosius* his Collegue. But the Barbarians hovering over *Italy*, *St. Ambrose* the Bishop of *Milan* was desired to go to *Valentinian*, and invite him to the defence of those Provinces, which the understanding joyced, hoping the Bishop by his Authority might interpolate and get him better Quarter from *Arbogastes*. Upon a report flying of the Emperour's coming, *Ambrose* according to the pleasure of those who were concerned, put off his Journey, which *Valentinian* understanding, desired him by Letters that he would not defer to come to him. He having received the Message made what haste he could, but having passed the *Alpes* understood of his Death, which *Arbogastes* procured by corrupting the Eunuchs that waited on him in his Chamber, as we have formerly related, there being but little distance, as One more glorious in his sufferings hath observed, betwixt the Prisons and Graves of Princes. *Arbogastes* having done the Fact, though already in his mind he had swallowed the Imperial Authority, yet would not himself take the Ensigns, but therewith invested one *Eugenius* his dependant and Servant, (as *Claudian* the Poet calls him,) who had been first commended to him by *Richomerus* his Countryman. Treason when once come to such height as to admit no pardon, must be Rigorously prosecuted. He persuades his new mock Prince the stronger to confirm him in his lame Title, to take to him the Alliance and Assistance of the Nations beyond the *Rhine*, and to make strict League with the *Franks* and *Alemans*. Having raised a considerable Force, they seize upon the Straits leading to *Italy*, intending to obstruct the passage of *Theodosius*, who yet removed the obstruction, and by the mercy of God obtained the Victory against the Pagan upstart, (who bore the banner of *Hercules*), although the *Franks* and other Barbarous Nations omitted nothing of their Duty. *Arbogastes* after the disaster and Death of *Eugenius* having fled into the Mountains; when he perceived all ways were laid, and all means used for his apprehension, fell upon his own Sword, lest it should be said that *Arbogastes* was killed by any but *Arbogastes* himself. A great man, a complete General by confession of his Enemies, in whom those abilities which in others are but scattered and distributed, did truly concentre and unite. And by such true and proper humane means, he still arrived at his end, viz. Prosperity and Success, preserving *Theodosius* in his Imperial Dignity, deposing and destroying *Vitor* the Son of *Maximus*, and now had from a Scribe or a man of very low Condition, advanced and established *Eugenius* in the Throne, had not God Almighty himself interposed, and in a miraculous manner (as Christian Writers acknowledge,) dashed in pieces this Pagan's Project.

They beat the
Vandals killing
their King.

11. *Theodosius* the Emperour Died not long after, leaving two young Sons which he committed to the Custody of *Rufinus* and *Stilico*, with the care of the Eastern and Western Empires. *Stilico* in the West made a League with the *Franks*, who when the *Vandals* invaded *Gall*, did what they could to oppose them, but being inferior in number and strength, were forced to retire into their own Quarters. *Stilico* being Dead, they thought themselves it seems loosed from the Tie and Obligation of the League, and left the *Vandals* should get all, pass over the *Rhine*, break into *Gall*, and besides other Cities, take, Plunder and burn that of *Triers* the Metropolis of that Tract. The *Vandals* as desirous to keep what they had, as they were greedy to obtain it, make presently Head against them, but were totally defeated, twenty thousand of them Slain, lost *Godegizlus* their King, and had every man been cut off, but that a party of *Alans* seasonably interposed. The *Vandals*, *Alans* and *Suevi* having enough of this Rencounter, left they should any more have to doe with the *Franks*, made *Gunderick* the Son of *Godegizlus* King, and march to the *Pyrenean* Mountains, which having passed, they enter *Spain* the first day of *October*, A. D. 409, where they reduce much of the Country under their Obedience. Upon rumour of this notable Victory, the *Britains* fearing some attempt upon themselves, stand upon their own Guard, and so do several Cities of *Armorica*, (now little *Britain*) shaking off the *Roman* Yoke, and modelling themselves into a new sort of Government. Yet did the *Franks* retreat back into their own Country, leaving the *Burgundians* alone with a party of *Alans*, to domineer over the Inhabitants of *Gall*.

12. The *Franks* for two or three years contained themselves quiet within their own Bounds, only they sent a party to the assistance of *Gerontius* the *Britain*, who had slain *Constantine* the Usurper, which was cut off and destroyed by *Constantinus* General for *Honorius* the Emperour, who having sent *Vlphilas* his Lieutenant against them, he cunningly let them pass by till he could fall in upon their Rere, at such time as he knew *Constantinus* had reached their Front. *Honorius* by the Conduct of

this

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this *Constantinus* had by this time destroyed the Usurpers, removed the *Goths* out of *Italy* into *Gallia Narbonensis*, and the *Vandals* were thence driven away, so that he celebrated Games for this Freedom of *Italy* as one overjoyed, only the *Burgundians* were an Eye-fore, who having passed into *Gall* with the *Vandals*, still continued forsaking their Companions when they understood their expedition into *Spain*. *Constantinus* therefore resolved to fall upon them, which they being aware of, and knowing themselves unable to bear the Shock desired Peace, and to be received into friendship and confederacy with the *Romans*. He fearing lest by some ill accident and uncertainty of War, he should blur the glory of his former Achievements, was not averse to their Proposals, and according to their request giving them Peace, entered into a League of Friendship and Society. This coming once to the knowledge of the *Franks*, they disdained exceedingly, that the *Burgundians* a People not much considerable either for Reputation or Strength, should there obtain quiet and peaceable Possession, where they themselves hitherto, notwithstanding for many attempts and expeditions, could not fix at all, speedily therefore raising a great Army, they pass the *Rhine* and take and burn *Triers*, under Conduct of *Marcomirus*, if we might believe *Sigonius*, who forgets that *Marcomirus* and *Summo* had been either banished or put to Death by *Stilico*, as *Claudian* the Poet hinteth not obscurely. Against them was sent *Castinus* the Comes Domestorum, (forasmuch as *Constantinus* returned to *Rome* to take Possession of the Consulship,) who halting into *Gall*, overthrew them in several Engagements, and forced them notwithstanding all their courage and resolution, once more to retreat and cross the *Rhine*.

Marcomirus and
Summo put to
Death.Pharamond King
of the Franks.

13. About this time it must be that the *Franks* had *Pharamond* for their King, in the room of *Marcomirus* his Father. It's very strange that *Gregory Turonensis* a grave and diligent Authour, should not once mention this Prince. But *Aimonius* both names him and placeth his Reign at this time, and so doth *Prosper Tiro* in his Chronicon published by *Scaliger* and *Pithæus*, who lived about this time, and therefore good credit is to be given to him. This Chronicon in the Edition of *Scaliger* at the 25 year of *Honorius* hath these words, *Pharamundus regnât in Francia*, or, *Pharamond Reigns in France*, after which follows the year 26, and at it this Note, *Solis facta defecitio hoc Anno, The Sun was this year Eclipsed*. If therefore it be certain that *Pharamond* Reigned the year preceding the Eclipse, he Reigned in the year of our Lord 417. For there was not any memorable Eclipse in any of these years, except that which happened on the 19th. of July, A. D. 418. Which was total throughout *Africk* and *Egypt*, being mentioned by the Chronicon of *Alexandria* with this addition, that it fell out on the 14th. of the Calends of *August*, on the day of preparation to the Passover, the eighth hour of the day. *Idarius* also assigneth the same fourteenth day of the Calends of *August*, but the heedless Printer or Writer reckons the fifth *Teria* or Thursday, whereas Friday was the day, the Noon thereof the time, almost two hours later in *Italy* than it fell out in *Egypt*. *Pharamond* therefore began his Reign in the year 417, not the 420 as *Scaliger* imagined, who thought that this Eclipse happened in the year 421 following *Bauting* in his Calculations. For in this year, no Eclipse of the Sun could be seen through *Europe* or *Africk*, by reason of the Southern Latitude of the Moon, which still increased through the accession of the *Parallaxe*.

14. From the Death of *Marcomirus* and *Summo*, or rather from the time wherein Authours speak nothing of them, the year 395 to the beginning of *Pharamond*, intervene 22 years, during which space it's conceived by some that the *Franks* continued quiet, and contained themselves within their own bounds, as also it is probable that they so did during the time he Reigned over them, else it's a wonder he should not be mentioned by *Gregory*, and so little spoke of by the rest of the Historians. There be some who conceive him too busy at home, that he could not attend Foreign matters, so taken up with making Laws, that he could not have any leisure for Warlike Employments, so addicted to the Society of his *Wise-gest*, *Le-gest*, *Wide-gest* and *Sole-gest*, by the assistance of which Sages he compiled his *Salick Law*, that his Ears were deaf to all other Counsellours. But *Chistelius* Physician to the Arch-Duke at *Brussels*, though in another Book written ten years before, he thinks the *Salick Law* to have been made by this Prince beyond the *Rhine*, yet in his *Anastasis Childerici* he judgeth it agreeable to truth, that he seized on that part of *Gall* called *Belgica Secunda*, which contained ten sorts of People, as the *Remi* (inhabiting about *Rheims* in *Champagne*), *Suessones* (those about *Soissons*), *Catalauni* (those about *Cataloni* in *Champagne*), *Silvanectes*, *Belonaci* (about *Beauvais*), *Ambiani* (the Metropolis of whom was *Samarobriva* now *Amiens*), *Veromandi* (*Veromandois* at this day), *Atrebat* (*Artesens*), *Nervii* at this day those of *Hannault*, whose Metropolis

He seizes on
Belgica Secunda.Vide Mirai chron.
Belg. pag. 518.

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Metropolis according to *Ptolemy* was *Banacum* now (*Banay*), and the *Morini* inhabiting in part the Western Coast of *Flanders*, and so called because they Lived amongst the Fenns then in the Teutonick called *Moeren*, whence our English *Moors* are derived. This *Belgica Secunda* (the Metropolis whereof was *Darocottorum Remorum*, (or *Rheims* in *Champagne*.) he will have him to have seized, being already wasted and weakened by the incursions of the *Vandals*, and held it to his Death, his Argument being taken out of an old Manuscript Genealogy, preserved in the Palace at *Brussels*, which saith he was Buried according to the Rites and Customs of the Barbarians at *Rheims* without the City, towards *Landunum* in a little Hill which in Latin may be called *Pyramis*, it being the manner of old, as *Servius* noteth, for great men to be Buried either under great Hills, or in the Hills themselves, whence it came to pass that Pyramids or great Pillars were wont to be raised upon Graves. Wherefore he was Buried, *Sigobert* writes that he Reigned eleven years, so that his Death must then according to the former account fall into the 428 year of our Lord. His name is by some thought to have been truly written *Warumund*, signifying the truth of the Month, War being truth, and *Mund* Month in the Teutonick. But *Scaliger* denieth that *W* could degenerate into *F*, and bids us enquire of *Peter* the Lombard what *Fara*, of which *Faramond* is compounded, doth properly signify. For the Language of *Franks*, *Goths*, *Lombards*, *Vandals* and *Burgundians*, with those of other Northern Nations was the same, being all Teutonick in their Original.

15. From the said *Peter* therefore we understand that *Fara* signifieth a live Generation or Off-spring, as also from the Laws of *Lombardy* and the common Speech of the Danes at this day, who to express the Inhabitants or Generations of several Countries, to the name of the place add that of *Fara*, as *Selandfar*, *Hollandfar*, and *Irelandfar*, so that *Faramond* must denote the Month, Source, Original or defence of *populi*, *seculorum* dixit in *scitely* quas tunc elegit *voluisset* Longobardorum *Fara* est generatio vel linea tribueret. *Leg. Longobard. lib. 3. tit. 14.*

Chlodius succeeded his Son *Clodio*, in the fifth year of the Reign of *Theodosius* the younger. By this time *Ætius* the Roman General had fallen out with the *Goths*, who had formerly been removed out of Italy into *Gall*, and having beaten them in several Encounters, forced them to beg Peace, by which stirs the *Franks* thinking they had a fit opportunity presented, made a new irruption into the Roman Territories; *Gregory* of *Tours* writeth that *Clodio* their King lying incamped at *Dyspurgus* in the Borders of the *Tungri* beyond the *Rhine*, sending out his Spies as far as *Cameracum*, (now *Cambray* upon the *Schelde*), after he had understood that all was safe and passable, invaded *Belgica Secunda*, and setting upon the City *Cambra*, overpowered the Romans there lying in Garrison, took the City and subdued all as far as the *Rivolet Somma*. But as to this Expedition, and the place from whence it is taken, there is much difference amongst some modern Writers, some, according to what is alledged from *Gregory*, will have *Pharamond* to have kept himself quiet beyond the *Rhine*, and these places in possession of the *Franks* at this time, on this side that River to have been seized and enjoyed in the Reign and by means of his Son *Clodio*. Others will account *Pharamond* a Prince of such Conduct and Valour, that the Romans durst not attempt any thing against him, but that he both obtained and kept what of their Territories he had got into his hands, and these stirs that happened in the time of his Son, were occasioned by his Youth, and want of experience, whereof the Romans took the advantage.

16. That *Clodio* held his Royal Seat at *Dyspurgus* or *Dysburgus*, is affirmed by *Himinius*, and by neither party can be denied. But one contends this Castle was beyond the *Rhine*, and another affirms it was Seated at no lesser distance from that River, than betwixt the Cities at this day called *Brussels* and *Lorraine*. *Pontanus* alledgeth the testimony of *Gregory Turonensis*, who saith it was Seated in the borders of *Tungri*, and *Chiffletius* telleth us of a Manuscript of *Cambray*, or History of the Acts of the French Kings which hath to the same purpose, *Habitavit Clodio Rex in Duisburg Castello in finibus Tungrorum*; or *King, Clodio lived in Dyspurgus a Castle in the borders of the Tungri*. Now the *Tungri* lived partly beyond, and partly on this side the *Rhine*, in that Territory to which that very place or Castle is very near at this day called *Dinsburg*, betwixt *Wesel* and *Dyffeldorp*; and that the most ancient

Ala manere barbarique.

In lib. 1. 2. 1. 2.

Emendat. temp. lib. 6.

Lib. 2. c. 9. d. *egit* Longobardorum qui *Gul-* *fulpian* non *trine* *regimen* *inf-* *dem* *cratit* *ty* *Longobardorum* *Fara* *est* *generatio* *vel* *linea* *tribueret*. *Leg. Longobard. lib. 3. tit. 14.*

Pontan. orig. Franc. lib. 4. c. 12.

Vide *Chiffletii* *Assidit* *Chiffletius*, *pag. 6.*

Lib. 1. c. 4.

Lib. 2. c. 9.

Copies

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Copies of *Gregory Turonensis* read *Tungrorum*, and not *Thoringerum*, (which being so corrupted, is swallowed by *Siebert*, and those that follow him,) *Pontanus* appealeth to the Testimony and Edition of *Morelius*. Notwithstanding all this added, both out of *Gregory* and his own alledged Manuscript, yet *Chiffletius* recants what he had formerly written in behalf of *Tungrorum*, because he was deceived in thinking this *Duisburg* the same with *Deifheim*, where *Henichenius* wrote there were two Castles, whereof one called *Duisburg*, which the Inhabitants themselves stily denied, affirming the place to be simply called *Burg*. But at last he thinks he hath found out the matter, by discovering two Towns, or Castles, bearing the Name of *Duisburg* amongst the *Franks*, one beyond the *Rhine* over against *Coloine*, at this day called *Duisburgh*, (in old time *Castrum Deusonis*) the same which *Philip* the Emperor pawned to *Henry* the first, Duke of *Lorraine* and *Brabant*, in the Year 1204. Another *Duisborcke*, a large and noble Town near *Tura*, almost in the midway betwixt *Brussell* and *Lorraine*, which his Friend *Wendelin* thinketh might possibly be within the Diocese of the *Tungri*, seeing that *St. Hubert*, a few days before his Death, A. D. 727. dedicated a Church at *Tura*, and *Lorraine*, with the Territories about it, was certainly of the *Tungrian* Diocese, as far as the River *Dilia*, so that this *Duisborck* was in the Borders of the *Tungri*, if not within the Diocese it self; *Gramatus* also in his Antiquities of *Brabant*, makes honourable mention of this *Duisburg*, noting in the Margent, that it was wont to seal with a Castle, bearing two Banners or Ensigns.

17. *Chiffletius* adds, that at the writing of his Book (A. D. 1655.) there were those alive who could remember the ruins of the old Castle of *Dursburg*, in the place where now stands the Village of *John de Mulder*, in the Suburb called *Ijeren*, that the Pastour of the place reported from the testimony of ancient Monuments, that two hundred years before *Tura* this *Duisburg* was a Castle of the Dukes of *Brabant*, wherein the Princes and Nobility were wont to consult about State Affairs. He produceth a cutt of the Seal mentioned by *Gramatus*, wherewith the *Scabines* time out of mind have been wont to sign their publick Instruments, and with his Friend *Wendelin*, he affirmeth, that the *Dyspurgus* mentioned by *Gregory*, much more agreeth with this place, than that beyond the *Rhine*, and that this was the very Castle which *Clodio* made the Seat of the Kingdom, all this Tract being made famous by the several Castles and Dwelling-houses which the Princes of *Brabant* (descending from those French Kings) chose and appointed to themselves at *Brussels*, *Luxain*, *Fara* and *Duisburg*. But nothing doth *Chiffletius* by his favour produce, which necessarily concludeth this his *Duisburg* to have been the place. It is ordinary for Colonies to name the places of which they are the new Possessors, after those Cities and Towns from whence they came, and whence they are defended, so that this Castle near *Lorraine* might be both built and named long after this story of *Clodio*. The Diocesses of places have been wont to exceed their Civil Limits, neither can *Wendelin* make out, that the religious Borders are here meant by *Gregory*. It seemeth that *Clodio* first seized on and made this Castle the seat of the French Kingdom, and he might doe it in either place, because the one was beyond the *Rhine*, and the other within the Limits of his Expedition. But why doth not *Chiffletius* answer to the Testimony of *Gregory Turonensis*, that *Duisburg* was beyond the *Rhine*, in reference to him who then lived and wrote in the middle of *Gall* it self? And what will he say to the assertion of *Ado Vienneus*, who writes, that *Clodio* marching from the Castle *Dysporus*, (as he calls it corruptly) passed over the *Rhine*, and working the Romans, seized on *Sylva Carbonaria*, as far as *Camacacum*, and there he took up his Quarters. If this *Sylva Carbonaria* was part of the *Sylva Arduenna*, or that called now *Bois d'Ardenne*, lying about the *Meuse*, and the Countrey of *Leige*, *Clodio* must have made a fine progress, first Northwards, from this *Duisburg*, lying betwixt *Brussels* and *Lorraine*, and then backwards again as far as the River *Schelde*, and the City *Cambray*. Certainly had he formerly taken up his Seat in that part of *Brabant*, he would first have so cleared the Coasts as not to leave an Enemy at his back, neither could he be so little skilled in the Countrey, as to think the nearest way to the *Schelde*, was to go quite contrary, except intending to leap over it, he took that course which those observe who leap Ditches, by going backwards to fetch the longer run, and so to be carried over with the greater violence.

18. But if *Clodio* placed the Seat of his Kingdom at this *Duisborck* near *Brussels*, he can scarcely be said there to fix it, so small a time did he enjoy his new obtained Conquest. For although *Gregory*, *Aimonius*, and the rest, take no notice of it, yet it appears from the Verses of *Sidonius Apollinaris*, that *Ætius* the Roman hearing of this

Pugnatissimos pariter, Francos qui Clojo patentes Attributum terrarum persequeretur, hic conuenit.

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the Countrey of the *Thoringi*, as the present Copies have it, but *Pontanus* thinks that *Tungri* is to be read, both because the same corruption is notorious elsewhere in this Authour, and it was much more easie for him to fly to them, and convenient to continue amongst them, who were near at hand both on this and the other side of the *Rhine*, than to make a long Journey into the territories of the *Thoringi*, betwixt whom and the *Franks*, were the *Alemans*, and several other Nations, not at all inclined to shew any Hospitality, or afford any Kindness to a *Frank*.

22. Indeed it appears from the Story, that he intended not in his retirement to be far out of the way. For he left behind him *Wiomadus* (or *Windomalus*) his trusty and faithfull friend, to lie as it were Leiger for him, to observe and watch all fit occasions, to mollifie the Spirits of the People, to assist time in wearing out all Prejudice and Regret from exulcerated Minds, and then to give him a sign when there should want only his Presence to perfect the good inclinations of his Subjects.

Ægidius got the Kingdom.

He cut in two a piece of Gold, whereof the one part he left with him, and took the other himself, commanding him to trust to no other Token, but sending that piece carefully to him upon occasion, thereby to prevent the fraud and cunning of the adverse Faction. He being thus withdrawn, the *Franks* reject all of their own Blood, and commit themselves into the hands of *Ægidius*, a Roman Captain, to whom *Anitus*, when Emperour, had given a Command amongst the *Sueffones* upon the River *Loire*, and he governed them as King, for the space of eight years, being a Person excellently accomplished with all Endowments of Body and Mind, which received greater Lustre from his Profession of the Christian Religion. All this while *Wiomadus* was not idle, but being for the repute of his Prudence and Industry received amongst the number of *Ægidius* his Friends, improved the advantage thence afforded all manner of ways, to the Service of his old Master, and when many of his Enemies were removed out of the way by Death, others brought over to his Party, and the greater part either moderated by time, or touched at length with the sense of some Improprity in the thing, that they should be governed by a mere Stranger, he thought things ripe enough, and sent him the piece of Money, as had been agreed betwixt them. *Sigebert* tells us expressly, that his Subjects returned to their Duty, and desired his Return, wherein he was not slack, and being joyfully received by the major part, with little trouble he drove away *Ægidius* his Competitor.

Returns.

23. But *Fredegarius*, in his Epitomized History of the *Franks*, tells a story of *Childerick* his betaking himself to *Constantinople*, to *Mauricius* the Emperour, and of his return thence by Sea into *France*, a very pretty piece of Anacronism, the Emperour *Mauricius* living no less than an whole Age after *Childerick*. *Witthomius* his *Chronicon*, written in the Year 810. mendeth the matter by reading it *Martianus*, who though he lived not so long before this Exile of *Childerick*, as *Mauricius* did after, yet died in the Year 457. whereas the flight of *Childerick* happened about the Year 461. and his restitution eight years after. But were it for no other Reason, than that *Gregory of Tours*, who was more ancient than the rest, and lived in the next Age to *Childerick*, makes no mention of it at all, the Story were justly to be suspected. It makes nothing for his Sea Voyage, what *Aimoinus* expressly writeth, that the King being in the middle of his way, sent to give *Wiomadus* notice of his coming, with orders speedily to meet him, which he as readily performed, with the French Nobility, and found him at the Castle of *Barrum*, the Inhabitants whereof he had commanded to receive him with all Respect and Honour. They so fully complied with his Commands, that they went out to meet him, and conducted him into their Town, with which Office of Duty and Kindness *Childerick* was so much pleased, as in Testimony of his Acceptance of so ominous a beginning, he remitted to them the Tribute they had been formerly accustomed to pay. This *Barrum Franchett* would have *Barrum Ducis*, or Head of the Dukedom of *Barre*. *Bellesforest* takes it for *Barr* upon the *Siene*. But those two are far later than this *Barr* now in question; neither was the Dominion of the *Franks* at this time so large in Extent, being bounded with the River *Somona*, otherwise called *Phrudus*, now the *Somme*; *Olivar Fredus* in his description of the ancient *Flanders*, will have it some Fort in *Brabant*, or else *Batavia*. *Chiffletius* concludes it was a Town belonging to *Brabant*, at this day called *Per*, it being a Custome of the *Romans* to change their Teutonick *P*, into their *B*, as might be made appear by many Examples. This *Per*, he tells us, was an ancient Castle, where now is to be seen an Houle of Nunns, and he is the more strengthened in his Opinion, considering that upon supposal of *Childerick* his flying into *Thoringia*, this place would lie convenient for his Journey. From *Amiens*, the Residence of *Childerick* to *Erfurd*,

Greg. l. 2. c. 12.

Papirus, Histories, Annal. lib. 1. p. 13.

A. D. 469.

Cap. 11.

Lib. 1. cap. 7.

Lib. 2. c. 15.

Lib. 1. c. 5.

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or the Royal Castle of *Thoringia*, (the Ruines whereof are yet remaining) are reckoned one hundred and thirty *Brabant* Leagues, in the middle whereof is *Coloine* seated on the *Rhine*, where he supposeth *Childerick* to have staid, and thence sent to *Wiomadus*, who presently met him at *Per*, or *Ber*, fifty Leagues distant from *Amiens*, and from *Coloine* fifteen. But this is altogether uncertain.

24. What way soever he came, he was followed by *Bafina*, the Wife of King *Bafinus*, by whom he had been entertained, a Woman that had broke her Conjugal Faith formerly with him, and finding, as she did not shame to tell him, his great abilities that way to satisfy her Appetite, came for that very purpose, that he might still cohabit with him. To this Relation *Fredegarius* and *Aimoinus* add a Story of the shapes of several Beasts, as Lions, Unicorns, Leopards, Bears, Wolves, Dogs, and lesser sorts of Animals, seen by *Childerick* on his Wedding night, with the Interpretation made by *Bafina*, upon which account *Trithemius* calls her a Witch, although the *Flemmings* at this day call a wife and provident Woman by the name of *Bafine*, and diminutively *Bafinneke*. But after his Restitution *Childerick*, to make amends for his former Looseness and Injuries offered to his Subjects, pursued the War with all alacrity and vigour. *Baronius*, out of the Acts of St. *Genesius*, relates how the City of *Paris* being long besieged by the *Franks*, the People oppressed with Famine were miraculously relieved by that Virgin; yet they took the City, and therein *Childerick* placed his Royal Seat. *Sigebert* writes, that the *Franks* invaded *Gall*, not so much to plunder and spoil, as now to make it their perpetual Habitation, took *Colonia Agrippina*, or *Coloine*, having put to flight *Ægidius* the Roman Captain, and slain a great number of the *Romans*. *Rocico* the Monk adds, that *Childerick* at this time fell upon the same City, which after too much slaughter made, he subdued, being then governed by *Ægidius* the Roman, who, not able to resist such a Force, betook himself to flight, and so escaped the rage and fury of the King. Both these Historians farther tell us, that the *Franks* proceeding, besieged and took *Triers*, situate upon the *Moselle*, at which time *Ægidius*, the Tyrant of the *Romans*, as the Monk calls him, died, and *Stagrus* his Son, in the City *Suessio*, was advanced to his Father's Throne.

Gregor. Tur. 6. Rector, lib. 1.

Ad An. 457.

A. D. 473.

A. D. 475.

Beats Ægidius the Roman General.

Enlarges his Dominions.

And dies.

An account of the place and manner of his Sepulture.

25. The Year following *Childerick*, with his Army, marched as far as *Aurelia*, or *Orleanse*, which having with too much cruelty wasted all the Countrey about it, at length he took it, and pursuing his Victory all along the *Loire*, as far as the Mouth of the River *Meduana*, on which stands the City *Andeganus*, or *Anjou*, the year following he took it in also, and burnt it, putting to the Sword *Paulus*, a Count and Governour of the Town. *Rocico* tells us, that there he designed to have met with *Adonagrius*, General of the *Saxons*, who had taken and hazarded the City, but he fled away by boat, and left *Paulus* to keep the City, who therefore thus perished in his Stead. Yet from *Sigebert* it appears, that *Childerick* this same year made a League with this said Captain of the *Saxons*, whom he calls *Andorackrius*, both of them together subdued the *Alemans*. *Gregory* adds, that *Odoacrius* made a League with *Childerick*, and that they subdued the *Alemans*, who had invaded part of *Italy*, which *Alemanni* some think no other than the *Alani*, being *Gallo Germans*, who in the time of *Tacitus* inhabited betwixt the *Rhine* and *Danow*, afterward passing over the River, infested *Gallia Belgica* with their frequent Inroads. *Rocico* the Monk tells us for a conclusion, that *Childerick*, desirous to return to his own House, or the City of the *Amiani*, was taken with a Fever, and left his Kingdom to *Clodowes* his Son. But he omits his last Expedition, mentioned both by *Gregory* and *Sigebert*. Having reigned twenty four Years, as *Aimoinus* computeth, he died in his Return, at *Ternacum*, or *Tourney*, and was buried there on the left hand of the military way, leading to the Town, at one hundred and fifty foot distance from the said way, towards the North, and six hundred from the nearest Eastern Bank of the River *Scheld*, being interred according to the Roman Custome, which required, that betwixt the Sepulchre and the Highway should be left a spot of Ground sacred to the *Dii Manes*, just so many foot large, as that betwixt this and the military way. But for the proof of the place of his Sepulture, we have an Argument so notable and rare, that it cannot be passed over without some significant and special Remarks.

26. The City of *Tourney* is divided into two by the River *Schelde*, which also parts the Diocese of *Cambrey* from that of the *Atrabates* and *Tourney*. On the side of *Cambrey* Diocese are three eminent Parishes, of St. *John*, St. *Nicholas*, and of St. *Brixius*, standing betwixt them both, most large and considerable, whereof the Parson *Pattus* perceiving the House of the Treasurer, and the Alms-house of the Parish, which stood near the Church-Yard, and his own House, to be very ruinous, after he had taken advice with the *Ædifici*, or Churchwardens, resolved to pull

Sigebert. A. D. 477. Gregor. Rocico, Papirus, Histories, Annal. lib. 1. p. 14. 478.

Anagrus Childerick per Chiffletium Antwerp, 1655.

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pull it down, and build up another stronger and upon more deep Foundations. In the Year 1653, the twenty seventh day of May, at three of the Clock in the Afternoon, when they had digged to the depth of seven Foot, or more, lighting of a kind of a stony Rock, there was found a Button of Gold, and presently after a bundle as it were of rotten Leather, wherein were contained more than one hundred Golden Coins, by one *Hadrian Quinquus*, a Labourer both deaf and dumb, who by his inarticulate Voice and Gestures, called as well as he could the Neighbours together. *Pattus* with two of the Wardens came to the place, with intention to seize on the Treasure for the use of the Church, and furthering the building. There they found moreover about two hundred Silver Roman Coins so eaten with Rust, that they could not be read, and therefore were afterward lost, no reckoning being made of them. Many pieces of Iron almost all consumed with Age, and the moisture of the Ground. Two skulls, whereof one of a larger size, together with the bones of an humane Skeleton. Then within a matter of five Foot farther, many other things of Art and value; as a Sword, that at the first handling it fell into pieces, with the Hilt and Scabbard, *Eftines*, or a Case of writing Instruments, the Head of an Oke, with about three hundred Bees (many more it's Conjectured, being carried away amongst the Rubbish) a Bodkin, Buttons, Claps, Nails, Plates, and Bosses all of Gold, and set with an infinite number of Rubies, besides the Skull of an Horfe. And that without which, neither the Age nor Person, whom they concerned could ever have been known, the Golden Ring of *Childerick*, King of the *Franks*, and therein his Image and Name engraven.

27. The Golden Coyns were of *Valentinian*, *Marcian*, *Leo*, *Zeno*, *Basiliscus* and *Marcus*. But the newest was that of *Zeno*, in the seventh Year of whom, or there about, died *Childerick* the first, so that his must be the Grave and Relicks, the Subject of this story. Besides these, were found an *Axe*, or *Hatchet of War*, by *Chiffletius* called the King's *Francesca*, which lay behind him, together with his *Framea*, or a kind of *Dart*; a piece of an *Horfe-shoe of Iron*, another *Gold Ring*, a *Crystal-Ball* as big as those of the Tennis-Court, an *Oxe-head of Gold* (being the King's Idol) and the top of his *Swords-hilt*, wherein is to be seen a double *Calves-head*, a *Golden Case for the Hilt*, a piece of an *Agate-Cup*, with several other things, of very great Curiosity. The Treasure was presented to Arch-Duke *Leopoldus Guilielmus* then Governor of the Low-Countries, for the King of *Spain*; who giving to the poor of the place more than the value thereof, with reward to the poor Man, who first discovered it, commanded *Chiffletius* to make what Observations he could upon the particulars, and commit his Remarks upon so eminent and noble a Subject to Posterity. This he hath done in his *Anastasis Childerici*, or *Resurrection of Childerick*; a Book furnished with much Good, and various, sometimes impertinent Learning, out of which, it will not be amiss for us to make some Observations, which may tend to the Illustration of the Subject in hand; the knowledge of these most dark and confused times, and the farther not impertinent Information of the Reader, to whom perhaps it may be some Recreation after these knotty Disquisitions.

28. That it was a Custome of old time, to bury Treasure and much Riches with Kings, and great Persons; the Histories of *David*, of *Cyrus*, and many other Princes do abundantly testify, although *Ulpian* telleth us, that Ornaments ought not to be buried with Bodies; the Designment of such things by Will being of no Force, and Null by the Civil Law. That as well Christians as Heathens, have been wont to bury their Dead in very rich Clothes, the Consent of all Antiquity, notwithstanding the Law, doth sufficiently evince. Kings and Souldiers were buried in Purple, as *Childerick* in a Robe of Gold, wrought upon purple Silk, as did appear by what remains were found in his Grave; which time and moisture had not altogether caused to change their Colour. Upon his Signet or Gold Ring, is his Image engraven, having very long Hair, and large, lying upon both his Shoulders, holding in his Right hand a *Dart*. The Inscription *Childerici Regis*, not in *Gothick* but *Roman Letters*; a certain Note, whose Ring it was, and to what times it belonged, even those wherein the *Roman Elegancies*, good Arts and Sculpture amongst the rest were not as yet abolished, although remitting much from its ancient Perfection; G. in the word *Regis* being changed into S. The writing of *Childerick* was of old used, as well as *Childerick*, as of *Sigibertus*, for *Sigebertus*. Having so much affinity with E, that as *Varro* acknowledged, the Ancients were wont to make use of them indifferently. Neither ought the Ring to be suspected, because the Inscription is in *Roman Characters*: For the *French Kings* of the first Race were skilled in the Latin Tongue; as it appears in *Theodomerus* one of the number, the Son of *Richimeres*, and *Asila*, expressed in a Golden Coyn, published

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by *Paulus Petavius* with this Inscription, *Teudome Rex* of the very same Character, as this of *Childerick*. *Clodonius* the first, *Clotarius* the first were both of them Learned in the *Roman Language*, and of the latter *Petavius* published also a Golden Coyn, on which was twice inscribed *Chlotarius Rex*. The like inference might be made in several others.

29. Indeed granting that to be true, which both *Gregory Turonensis* and *Aimoinus* write, concerning *Chilperick*, the first, his adding four new Letters to those formerly used, and *Ch* amongst the rest, the King with its Inscription might justly be suspected, *Childerick* being Great Grandfather to him, by whom those four should be invented, and therefore his Name written *Hilderick*, the *Ch* not being as yet in use. But who can be so ridiculously credulous, to believe that *Chilperick* brought these Letters first into the World, which are manifestly taken from the Greek Alphabet, and were then in use amongst the *Romans*; from whom perhaps, *Chilperick* might so far take them as to Communicate them, to the Orthography of the *Vulgar French*, for as well that, as other barbarous Northern Nations, might be very deficient in Characters and Writing. But to say, or imagine that those amongst them who understood Latin, could not use *Ch* before his time is more than Extravagant. Therefore, in a Golden Coyn of *Chlotarius* the Father of *Chilperick*, is twice engraven *Chlotarius Rex*. None that are Learned in the Greek and Latine Tongues, but must needs take notice of the great difference in their Writing, and pronouncing the *Roman* Names of Men and Places; for each Language hath its particular Genius and Idiom, not only of Phrase; but Pronunciation also, to express which, Letters are or ought to be adopted as near as possible. The Name of *Childerick* is German. *Huldas*, *Aventine* tells us, is *Love*; *Hulderick*, *Love* of a Kingdom, or *Rich in Love*; or, as *Hadrianus Junius* interprets it, *Rich in Suffrage*, *Hulden* being the fame, as to *Grace with ones Suffrage*; the Letter C being *Euphonia gratia* added to H. But whom the Ancient Saxons named *Hyldekerick*, the *Celtæ* called *Childerick*, and thence might the *Romans* take it, as more agreeable to their Pronunciation. Therefore, not only *Gregory Turonensis* writes *Childerick* and *Chilperick*, for *Hilderick* and *Hilperick*, as *Chuni* for *Huni*; but *Claudian* also, *Anthonius*, *Sidonius* and *Proper*.

30. As for the long Hair, which *Chilperick* wore, as his Image cut in his Seal represents him; the Reader must know it was the Custome of the Noblemen, amongst the *Franks* or *Sicambri* to use that Fashion, which was utterly unlawful for the *Vulgar* sort. The *Romans* when they took any of them, cut off their long yellow Hair, and sent them to the Women for new Fashions, which must needs be a great affliction to them, considering that by the *Salick Law*, no less a mulct than two hundred and fifty *Denarii* were inflicted, on any one that should Poll any Boy without the Knowledge and Consent of his Parents. But their Beards were as short as their hair was long, being close shaved off, as *Sidonius* the Poet describeth them. The Spear which he holds in his Right hand, was not only for War, but betokened Dominion and Empire; it appearing from *Gregory*, *Aimoinus* and others, that the Kings used the delivery of it, as a sign of Investiture (being indeed the same with the ancient Sceptre) to which succeeded amongst the German Emperours, a Sword for Kingdoms, and a Banner for Provinces. As to the fashion of the Signet it self, Kings before the use of Arms on Shields, according to the present Custome, were wont to sign and Seal with several Impresses and Representations. The ancient *Persian* Kings used the Image of the present King, say some, others of *Cyrus*, and others say of the Horfe of *Darius*, which got him the Kingdom by Neighing. *Alexander* the Great, as writes *Curtius*, sealed such Letters as were sent into *Europe*, with an old King, such as were for *Asia*, with that of *Darius*. *Scylla* caused to be engraven in his Ring the Image of *Jugurtha*, whom he had Conquered. *Augustus Cæsar* at first Sealed with a *Sphynx*, and when he perceived that gave occasion of Discourse, with the Image of *Alexander*, and at last with his own (cut by *Diofcorides*) which last Fashion was followed by his Successors. Yet *Galba* broke the Custome, Sealing with his Paternal device of a *Dog looking from the Deck of a Ship*. And *Commodus* tells *Clodius Albinus*, that he should receive his Letters sealed with the Seal of *Amazonia*; the ancient Kings of the *Franks* wore their own Images in their Rings, representing only the Head and part of the Breast, by the *Romans* called *Effigies Thoracatus*, and *Προμαχας Βασιδυς*, by the *Greeks*. Such is this of King *Childerick*, and a later of *Chilperick* his great Grandson, having after the Fashion of those of the Eastern Emperours, their Breast-plates adorned as it were with *Gemms*.

31. But amongst the other Rarities presented to the Arch-Duke, was there an Image of the Head of an Oxe of pure Gold, whereof the Eyes, Nostrils and Horns were decked with Rubies. The Brain-pan was hollow and open, having a cover,

Lib. 5. c. 44.

Hist. 3. c. 11.

In Nomenclatura.

Hist. Bat. cap. 23.

Et Hylperick.

Claudian in laud.

Siliacis Greg.

Turon. lib. 2.

Vultrius undi-

bus resti Pro bar-

ba tenues perar-

antur pedine

crisse.

Odo Frisingensi,

lib. 2. c. 5.

Thucid. Interpr.

Lib. 6. c. 11.

Plutarch.

Sueton.

Dio, lib. 51.

Capitulum in

Clodio.

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and the whole pervious and hollow, as far as the Throat for the receiving (it's probable) of Wine or other Liquors for Adoration. On the cover was a Button, either for to hang on it Magical Toys, for Garlands, Flowers, or the like Gifts, or Offerings. This hung on the Forehead of his Horle, being fastened to the Head-stall, from which *Pattus* the Priest loofed it, and was indeed the King's Idol, and Companion in his Warlike expeditions. For the *Franks* were at this time *Pagans* (or *Fanatics*, as an ancient Authour calls them) using various sorts of Images and Representations; and amongst others, it seems this of an *Oxe*, which whether they had it from the *Egyptian* Custome of worshipping the Bull *Apis*, or each People received it from a more general abuse of Religion, at the dispersion of Nations as some conceive, is not fit in this place to be discussed. *Chiffletius* observes, that after Christianity came amongst them; they were yet much addicted to this sort of Animal, being wont to be drawn by them in Chariots, which Custome yet continues amongst the Inhabitants of *Taxandria* or *Brabant*, where the most ancient *Franks* first seated themselves. He conceives the Idol to be hung at the Forehead of the Horle out of a Religious humour, which *Tacitus* long ago observed to be in the *Germans* (Predecessors and Progenitors of the *Franks*) who attributed much unto the Neighings, or various noise made by Horles, taking thence their prefages, and counting no *Auspicious*, so certain and infallible. But as the Horle his Face was adorned with this Idol of an Oxes Head, so his trappings with a number of Bees of the same Metal; there being betwixt the Natures of Bees and Oxen, so great affinity, that as Naturalists unanimously agree, Bees are generated out of the corrupted Carcasses of Oxen, and as both *Bernardinus Gomefius*, and *Kircher* have observed in several Drones, which in their Entrails retain something which manifestly bears the shape of the Idol of *Childerick*. All those Bees were of one bigness, weighing each thirty six Grains of pure Gold, having none of a larger size, or Kings amongst them, which Office *Childerick* desired alone, and without any Representation of a Competitor to enjoy, whilst the little Bees expressed the duty of loving and obedient Subjects.

32. Hereby seasonably, as *Chiffletius* judgeth, may be determined that Question so much of late debated, and by none Satisfactorily determined, viz. What were the Arms of the ancient *French Kings*? *Guaguinus* tells us, that it was a conitant Report continued to his time; that three Toads were born by them in their Armour, which *Papirius Massonus* also confesseth; but affirms the opinion to be grounded upon no Authority. *Nicolas Gillius* reports, that *Clodonaus* the first bore in his Escutcheon three Crescents, which at length he rejected and exchanged for Lilies, but he who lived the last Age is not at all to be heeded, relating a thing which happened one thousand one hundred Years before, without some Testimony of Antiquity to back him. In like manner, *Paulus Emilius* tells us a story of *Clodonaus*, who being to be Baptized, instead of three red Diadems, which he bore in a White shield whilst he was *Pagan*, took Lilies, which hath no more Foundation in Antiquity than the former. Neither were Lilies then born by the ancient *French Kings*. First, because as now they are the Arms of *France*, they are Golden, which Colour is not natural unto Lilies, envied by *Venus* her self for their Whiteness. Again a Lily consists of six Leaves, these of *France* but of three; and lastly, none of these Kings used them, so far as much as *Duchefne*, Historiographer to the *French King*, confessed in a Letter to *Chiffletius*, that he could not observe Lilies in any Seal of the *French Kings* before *Philip Augustus*. Upon this Account, those both of the Line of *Meroneus*, and *Charles* the Great are excluded, to whom those Lilies in their Tombs are falsely ascribed, which gave *Peireskius* just occasion, as well as other Circumstances, to Quarrel with the Tombs of *Clodonaus* at *St. Genesfue*, and *Chilperick* at *St. Germans*, and to esteem so little of those at *St. Denis*; that he thought all those most ancient Monuments to have been built at the same time, and not long before the Reign of *St. Lewis*. *Faucher* Conjectures, that the first Heralds that invented the Coat Armour of the *Franks*, intending to denote their Original from the *Sicambri*, who inhabited the Fenns of *Freisland*, toward *Holland*, *Zeland* and *Guelderland*, gave their Kings the flower *Fanilea* or *Iris* (being a little Lily of a yellow Colour, which groweth in Marsh Grounds, and flourishing in *May* or *June*) in a blew Field imitating water, which when it stands still acquireth the Colour of the Skies. But not to speak of Geography, which gives to the *Franks*, as we have seen, dry Ground as well as Marishes; *Chiffletius* rejects this flower partly, because there is of it no mention in Antiquity. Especially, for what he discovered in the Grave of *Childerick*. *Renatus Cerisierus*, would have them to have been the Head of a Spear, which afterwards came to be changed for its similitude into Lilies: But he brings

Gesta Reg. Francorum.

Lib. de muribus Germanorum.

Gomefius & in illis Vossius, lib. 4. Obeliskii Pamphili, cap. 1.

In Clodonaus.

Lib. 3. Amd. In Clodonaus.

Prefat. ad Tacitum Francicum.

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brings no Authours on his side, and confounds the Spear or *Framea*, with the *Francisca* of the *Franks*.

33. Having taken so much pains to tell what they were not, at length, he concludes what the Arms were, viz. No other but Bees, wherewith the trappings of *Childerick* his Horle were all over garnished, as I remember I have seen at *Paris*, in the Church of *Nostre Dame* the Horle of *St. Lewis*, (who at the upper end of the Body of the Church, hath there his Statue on Horle-back at the Right hand, as one goes toward the Quire,) just so beset, and set out with Lilies. His main Argument is taken from *Childerick*'s Horle. The Bees he conceives did at length degenerate into Lilies, for more Reasons than one. First, because the Lilies of *France* as they are painted, are not much unlike Bees, especially such as are found in the old Coins of the *Ephefians*, and *Delphians*, which have their Wings so long and stretching out, that together with the Tail, they make a Figure much resembling the shape of the Modern *French Lily*. As many Lilies were born, and in uncertain numbers, by the *French Kings* descended from *Hugh Capet*, so many Bees were found in the Grave of *Childerick*. The Lilies of *France* are Golden, so these Bees of pure and shining Gold. The Lilies you must know, were accounted of Celestial Original by the Vulgar, and Bees are not derived from inferior Pedegree, by those Heralds the Poets. These Flowers *De lis*, (as we English must call them, because the *French* do) are blazoned in a blew Azure field, which is the Element or Camp of our Bees, who exercise themselves continually in the Air. A Bee you know gathers Honey; to which *Pliny* gives grand Epithetes, and which is also of a yellow or Golden Colour. A Lily is a Royal flower, and so is a Bee a Royal (what shall I call it) Insect. But that we may tell the Reader, how by degrees the Arms, or Devices of *France* came to be changed; he must know, that Bees were thus in repute with *Childerick*, and *Clodonaus* his Son, till such time as he turned Christian, which was, *A. D.* 496. Though the story hath gone, that he then rejected the Toads, and exchanged them for Lilies. From this time *Chiffletius* guessth, he and his Son *Clotharius*, used no other Image or Representation, than that of the Crofs, for in a Golden Coin of this *Clotharius*, which *Paulus Petavius* (as *Gassendus* telleth us) received from *Peireskius* and published, which also *Chiffletius* in his *Vindicia Hispanica* hath exemplified; there is to be seen on one side his own Image, and on the other a Crofs. The Kings of the second race used no other *Symbolum* in their Seals, nor Monuments. As for the third, *Fau-* *In Originibus.* *chet* writes, that he could not make any certain Observation, of any Lilies used before *Lewis* the *Grays*, in whose Reign, or a little before those Ensigns called Arms began to be Hereditary. This *Lewis* began his Reign in the Year 1108. and the *Crusado*, or expedition into the Holy Land (from which Families derive their Arms, or Ensigns of distinction) was undertaken in the Year 1096. At which time *Chiffletius* imagines, that unskillfull Heralds being to give Arms to the *French King*, painted the Bees so ill-favouredly, that they represented Toads, as well as that for which they were designed: *Faucher* produceth indeed an old Coat Armour, wherein Lilies were so badly painted, that one might take them as well for Toads as Flowers. At length *Philip Augustus*, who travelled to *Jerusalem*, *A. D.* 1190. First took the Lilies into his Coat Armour, but many in number of so late standing are the *French Lilies*, which were afterward reduced to the number of three in the Reign of *Charles* the Sixth, who departed this Life in the Year of our Lord, 1322.

34. To speak briefly of the other remaining Rarities; the Style or Pin, wherewith he wrote was of Steel, such as the Ancients used to write with in Tables, covered over with Wax. It was quite consumed in its Golden case, to which *Chifflet* procured another to be fitted, and affirms it was not only serviceable for writing, but for stabbing also, if need should require; this *Graphium* or *Stylus*, having been too often employed in such Service, as appears from the *Roman* story. The *Graphiarium*, or Case, was all of pure Gold, not sparkling with Gemms, as the other Royal Ornaments; but engraven all over with little Croffes, upon which Account, seeing the King himself was a *Pagan*, *Chifflet* conjectureth it was given him by *St. Genesfue*, the Patroness of *Paris*, a Virgin much honoured by him, and for whose sake as the Legend tells the story, he remitted the Sentence of Death to several Offenders. From the keeping of the *Graphium*, he thinks the *Grafones* or Graves, which Answer the greater sorts of Counts to have been denominated. But the *Pagillares*, or *Diptycha* (when consisting but of two Leaves) or Tables on which he wrote, were consumed by time and moisture, only the Gold case remaining, wherein they were set. Sometimes these Tables were of Box, sometimes of

Se^{ct}. 2. Ivory, or other choicer Stuff. According to the Wealth and Quality of the owner.

35. It was the Custome for the Arms of Princes and great men to be Burnt or Buried with them, as appears from *Cyrus Epitaphion* and others, and *Tacitus* witnesseth particularly concerning the *German* Nation. Which gave occasion since the days of Christianity, to the setting up of Coats Armour upon Graves, and fixing them unto Herfes, and daubing or hanging the Walls of Churches with them, as is extravagantly practized in the Low Countries, the Provinces of *Holland* especially. Accordingly with *Childerick* was Buried his Sword, the Steel whereof all fell apieces, but was discovered to be about two feet and an half in length, having onely one Edge, as intended to Cut and not to Stab. The Gold and sparkling Gemms which adorned the Scabbard, and Hilt remained intire, weighing twelve ounces and two drachms. Besides this Sword which had a Golden Hilt adorned with Gemms, so as to make it futable to the Scabbard, there was the head or Iron of a Battle Axe very much eaten with rust, three parts of a foot long, and half as broad, the figure whereof as of all the rest of those things, *Chifflet* cauled to be cut in Copper and stamped in his Book. This Axe or Hatchet was by the *Spaniards* called *Francisca* from the *Franks* their using of it, as *Isidore of Hispalis* affirms, being called *Francisca* or *Francica* in the same sense, as in the Acts of a certain Council, *Charles the Bald*, Emperour, is said to have come in a Golden Robe after the *French* fashion, *Habitu Francisco*, with the Legates of the Apostolick See. Most Authours in describing the *Francisca* make it a *Bipennis* or two-edged, and their Authority is of such weight, some of them being capable of seeing them with their Eyes, that we can little doubt of their Testimony. Yet this of *Childerick* was a plain Axe, so that we must believe the *Franks* used two sorts of this Weapon, though *Bipennis* be taken sometimes for a simple, single or plain Hatchet. Besides this *Francisca*, was found the head or Iron of a Spear or Javelin of a triangular form, such as *Vegetius* describes, and the same which *Tacitus* mentions under the name both of *Fræma* and *Hæsta*, describing it accordingly to have been a short kind of Spear, with a narrow and light Iron, but so sharp and convenient, that they could fight either *Cominus* or *Eminus* with it as they saw occasion. So that *Pontanus* was grossly mistaken, imagining the *Fræma* to be the same thing with the *Francisca*.

36. As it was a Custome for great Persons to have their Arms buried with them, so also their Horfes and Grooms, sometimes their Wives with other Servants and Attendants, as is clear in the Story of the *Indians*, *Scythians*, *Galls*, *Danes* and *Germanians*. With *Childerick* was Buried his *Bucephalus*, whom it pleaseth *Chifflet* so to name, not because he had the figure of an Ox-head upon his Shoulder as he of *Alexander*, but bore on his forehead his Master's Idol. The bones of his Head and Jaws were remaining, with a Shoe of Iron almost consumed, yet entire at the first view, which shewed his Feet to have been none of the biggest. And besides the Golden Bees formerly mentioned, so many Golden plates and bosses were found belonging to his Bridle and Trappings, as discover them to have been exceedingly Royal and Magnificent, which the Relatour thinks designed rather out of respect to the Idol than the Rider. But the Bones of the Horfe discovered abundantly, what Man's skull the other was found with that of the King, it being the Custome to have the Groom as well as the Horfe, either Burnt or Buried with his Master. The Groom of *Childerick* was very young, as appeareth by his skull compared with the King's. Princes being wont to have such small attendants upon their Stables, (perhaps only as Pages of the Stirrup for they could not doe the work.) In a certain Diptyck of Ivory belonging to the Cathedral of *St. Lambert* in *Leige*, wherein is described *Saminanus* or *Sabinianus* the Comes *Domesticorum Equitum*, and Ordinare Confut in the year 505, under *Anastafius*, are also drawn to the Life two little Dwarfish Grooms leading out of the Stable the Emperour's Horfes, and below them other five of the same Stature, amongst whom two having their hands bound behind them, and an Horfe-shoe or something of that Nature hanging at their Noes or Mouths. The whole Description of them is to be seen in a Brafs Cutt in *Chifflet*'s Book.

37. The Buckles, Claps or Buttons belonging to the Ornaments of the Horfe exprest in Latine by the word *Fibula*, were of pure Gold and set thick with Rubies and other Gemms, an Honour peculiar to Sovereign Princes. *M. Brutus* of *Plin.* lib. 33. old complained that Tribunes were so luxurious then as to wear Golden *Fibulae*. *Aurelian* the Emperour was the first that gave common Souldiers leave to wear them of Gold, whereas formerly they had onely used those of Silver. *Leo* the Emperour

Lih. 18. cap. 6.
All. Concil. Pontificis Aimonius, lib. 5. c. 33.

Bipennis per se plenum est et securim significat. Hæsta, vel Fræma vocatufur. Vegetius cap. 15. et Levi ferni. sed ita scribit ad quem habili ut eodem habili, post remanet vel cominus pugnet.

Service in Virgil. Æneid. lib. 6. lib. 3. Cæsar, lib. 6. Gaill. lib. 6. Sæm. Gram. lib. 8. Tacitus de moribus German.

perour forbade the wearing of Pearl and Jacinths in Bridles, Saddles, or Girdles, but permitted single *Fibula* of Gold to be worn by private persons, with this caution, that what was Sacred as he terms it to his life and Ornament, they should not dare to imitate. *Joannes Rhodius* complains that of the ancient *Roman Fibula* none could be found but those of Brafs, and those also very rare, onely *Pancirollus* tells us of a Golden one he saw, the figure whereof was sent to *Charles Emanuel Duke of Savoy*. In the East the single Golden ones were peculiar to Princes and very great men, as appears by the privilege granted to *Simon* the High Priest by *Demetrius* to be Clothed in Purple and to use a Golden *Fibula*, as *Jonathan* had received the same privilege from *Alexander* and *Antiochus*. The ancient *Fibula* of the *Romans* was without an Hook, resembling a kind of a Bow to which a Bodkin made a String: But those of *Childerick* though various in shape, yet for the most part imitate the Modern ones in the Hook, and the Ring into which it is inserted. Had *Pancirollus* lived to see this Treasure, he would have been sensible how much Light might thence have been obtained for clearing of the thing so much controverted. They were so many of them and so masse, that altogether they weighed 17 ounces of Gold. The form of them is very well represented in the Book of *Chifflet*, neither the space of 1200 years, nor the moisture of the place, having at all corrupted the substance of the Gold, nor changed the lively and sparkling Colour of the Gemms. The Crytal ball found in the Grave, he thinks was used by the King in his Sickness, a virtue being ascribed to those Balls by Naturalists of refreshing and cooling the hands of those that lie sick of acute Fevers. But we have made too long a Digression.

SECT. III.

From the Death of Childerick, and the Promotion of Clodonaus the first Christian King, to the Ruine of his Family, or of those called the Merovingians.

The space of two hundred sixty four years.

Clodonaus success.

I. **T**O *Childerick* succeeded *Clodonaus* his Son, begotten on *Basina*, and the Heir of his Courage as well as his Kingdom, being by some called *Hlodowicus*, and by others *Hlodowicus*, *Ludowicus*, and *Ludum*, according to the diversity of Nations and Dialects, in the eleventh year of the Emperour *Zeno*, the ninth of *Odoacer* King of the *Goths*, and *Fenantius* being Consuls.

2. *Clodonaus* not onely filled *Gall* with the fame of his Achievements, but affrighted all *Europe* by the Noise of his successfull Arms. *Gall* was at this time held by four several Nations, all which Larded it over the poor Natives, viz. the *Romans*, *Goths*, *Burgundians* and *Franks*. He esteeming it a thing below him, and unworthy of his Progenitours, to content himself with what their Valour had devolved upon him, resolved to raise his Name as high as their Renown by new Conquests. The *Romans* he thought fit to begin withall, because their Power now seemed utterly decayed, and upon the Invasion of *Italy* and these Western Provinces, the *Præfecti Prætorio* kept to themselves such Cities as they had formerly Commanded. Having drawn in *Chararichus* and *Ragnacharius* his Kinmen, and petty Princes of the *Franks*, in the fifth year of his Reign he marched against *Syagrius* the *Roman*, who held the City of *Suessio* now called *Soissons* and provoked him to Battel, who not at all dismayed with the terror of so great a force as *Clodonaus* brought along with him, came forth and Engaged, but had the fortune though he fought most valiantly to be overthrown, and fled for succour to *Thoulouse*, to *Alaricus* King of the *Goths*, who overcame with the threats of *Clodonaus*, delivered him up into his

Makes War with the Romans.

Se^{ct}. 3.

A. D. CCCXXXIX. Theodorichus et Venantius Conf.

Gregorius Turonensis. lib. 2. c. 29. Aimonius, l. 1. c. 12.

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And drives them
out of Gall.

498 or 499.

Conquers the
Thuringi.

Falls in Love.

The terms of
Marriage.

Hands, and he caused him presently to be beheaded. Then did the Victorious King subdue *Soissons* with the other Towns adjacent, and enlarged his Territories as far as the River *Loire*, the *Romans* being utterly dispossessed of and driven out of *Gall*, their Dominion over which Countrey now received its period, after it lasted from the time of *Julius Cæsar*, his first Invasion about 546 years, in the year of our Lord 488 or 489, *Probinus* and *Eusebius* being Consuls.

3. But amongst the Allies and Associates of *Clodoneus*, *Chararicus* is said as solicitous about the event to have carried himself rather as Neuter in this War, though defended of the same Stock with the King. For at this time there were several Reguli of the *Franks*, who Reigned in *Gallia Belgica* called *Austrasia*, and *Francia Orientalis*, as that Countrey, now called *France*, was known by the name of *Francia Occidentalis*; of these *Sigebert* had his Seat at *Coléine*, *Ragnacharius* at *Cambray*, and *Chararicus* in some other place, which it seems they held as Appendages, being defended of the blood Royal, and acknowledging *Clodoneus* for their Superiour. He having finished the War with *Syagrius* and unwilling to lie idle, fell upon the *Thuringi*, and in the tenth year of his Reign forced them to receive his Commands. And in this same year he Married *Clotildis* or *Crotildes*, the Niece of *Gundebaldus* King of the *Burgundians*, of whom he fell enamoured upon this occasion. He sent on a time his Ambassadors to the Court of the *Burgundian* to establish a Peace, who whilst they made their abode there, took much notice of a Maid that dwelt in the Palace, whom they observed to be extraordinary both for beauty and for deportment. They inquire who she is, and have answer it is the King's Niece, who takes care of her Education, her Parents being Dead. The Ambassadors returning, tell the King they have done all they had in Commission, and fall into large Commendations concerning the Maid, affirming her a Person worthy of the greatest Monarch living. He is hereupon smitten, falling in love with her he never saw, and withal hoping by a Marriage with her to order his matters, as to make himself King of *Burgundy*; he sends one *Aurelianus* to take more notice of her, and upon liking richly to prefer her, to wooe her for him, and to know how the could stand affected to the Match.

4. *Aurelianus* being entred *Burgundy*, and drawing near to the Court, Commands his followers to hide themselves in the adjoining Woods. He Clothes himself with the Rags of a Beggar, and goes to make trial if he could speak with *Clotildis*, who was gone to Church, it being then the Lord's Day. He amongst other Beggars stands and expects her coming out, and when Service was done, out he came to give her Alms to the Poor. She reaches money to *Aurelianus*, who lays hold on her Hand, and uncovering it makes as if he would kiss it. Hereat she is offended, and going into the Palace, sends for the Beggar and expostulates with him for his fauineels, who giving her no answer to this Demand, takes the opportunity to doe his Message, telling her that his Master the King of the *Franks* hearing of her excellent Vertues, desired her in Marriage, and he goes to shew her his Ring and the other Presents, but turning about finds that his Bag wherein he conveyed them, and which he had laid behind the Dore was stoln from him. But inquiry being made, the Bag was found and restored to him as a Stranger, out of which he then takes the Presents, which receiving she made him this answer. *It is not lawfull for a Woman that is a Christian to Marry a Pagan, but if Almighty God be pleased so to order it, that I may be a means to bring him to an acknowledgment of his Creator, I refuse not but submit to his pleasure.* *Aurelianus* answered there was no doubt but the King would comply with her, and thereupon she desired him that all might be concealed from her Uncle. He returns and gives his King an account of his success, who is more and more enamoured of her by all Reports he receives, and the more because the Kingdom of *Burgundy* he had already swallowed in his hopes. He sends, and by his Ambassadors asks her in Marriage of her Uncle, who without much adoe consents and delivers her to be conveyed to his Presence. Not long after *Theodorich*, King of the *Goths* in *Italy*, sends and demands *Andalsfeda* the Sister, (*Formandes* saith the Daughter) of *Clodoneus*, and obtains her for his Wife. And so these three potent Nations Invaders and Sharers of the *Roman Empire*, became allied and confederate amongst themselves.

5. *Clodoneus* four or five years after his Marriage undertook a War against the *Alemans*, it being as contrary to his restless humour, as his ambition to lie idle. They foreseeing the Storm whilst yet beyond the *Rhine*, resolved that seeing there must be a War, the Seat of it should not be their own Countrey, and passing the River would give him some tolerable pretence to quarrel with them. Some say they came into *Gall* to seek out new Seats, and entring into *Germania Secunda*, encamped

Greg. l. 2. c. 49.

Aimoinus, lib. 1. c. 13.

Sect. 3.

camped at *Tulbiacus* a Village belonging to the *Agrippinenses*, or those of *Coléine*, according to *Tacitus*. *Mitans* in his *Chronicon Belgicum* calls it a Town of the *Ubii*, at this day known by the name of *Zullich*, and *Pontanus* Writes it *Zulpich*, but whatever was the Name, a great and bloody Battel was here fought by the *Franks*, for preservation of their Conquests, their fame and reputation, by the *Alemans* for their Liberty and their Fortunes. After much contention and slaughter on both sides, *Clodoneus* saw plainly that the Enemy got ground, whereupon with a sorrowfull Heart and weeping Eyes cast up to Heaven, saith *Gregory*, he devoutly implored the assistance of *Jesus Christ*, whom as he said *Clotildis* preached to be the Son of God, and who was reported to afford help and assistance to persons in distress, and procure Victory for such as believed in him, vowing faith in his Name, and therein to be Baptized, if by a Victory now obtained over his Enemies, he might but have experience of his Divine Power. This Prayer made, the Face and Posture of the Battel was instantly changed, and the *Alemans* who had lately born themselves as Victours were constrained to flie, and their King being slain, humbly to beg pardon and peace of *Clodoneus*.

Overthrows the
Alemans.

6. *Sigebert* the Prince of *Coléine* received a wound in his Foot, of which he ever after continued lame. *Lippus* would have *Adalgerio* King of the *Boii*, amongst other Princes to have been in this Battel, but *Marcus Velserus* as well as others deny it, affirming that it doth not appear by the Testimony of any ancient Writer, that this Fight touched, or any way concerned that Nation. However, great was the Reputation that *Clodoneus* got by the Victory. *Theodorich* King of the *Goths* in *Italy*, by Letters yet to be seen amongst *Cassiodorus* his various Epistles, congratulated with him, and moved some say by the intreaties of the *Alemans* interceded for them, advising him to use his Fortune and Power moderately toward the Conquered, who yet as it seems from *Ennodius* had no such good Quarter at his Hands, but that they rather chose to accept of the offer of *Theodorich*, who kindly invited them into *Italy*. The Ambassadors of *Theodorich* brought with them a man skillful on the Harp, as a present to *Clodoneus*, who having formerly desired such an Artift of him, he wrote to *Boetius* requiring him to find out the most expert in all *Italy*. But *Clodoneus* returning home after his Victory, recounted to *Clotildis* his Wife the story of his Prayer, and what had followed upon it, which opportunity she, who had often solicited him heretofore, now taking, so wrought with him, that he took upon him the Profession of Christianity, being Baptized by *Remigius* Bishop of *Rheims*, as will be amply set forth in its proper place.

Turns Christian.

7. At this time Reigned over the *Burgundians* *Godegisilus*, in conjunction with *Gundebaldus* his Brother, but fearing that at length he should be sent after his Brother, *Chilperich* the Father of *Clotildis*, whom *Gundebaldus* had Murthered, he sends privately to *Clodoneus* and offers him a yearly Tribute, on condition he would stand close to him and assist against the Tyrant. *Clodoneus* promises him his utmost affluence, and levying a great Army marches streight against *Gundebaldus*, who utterly ignorant of what had passed betwixt them, sends to his Brother requiring his assistance for opposing the Injustice and Violence of their common Enemy. *Godegisilus* returns him good words and fair promises, but joyning his Forces with *Clodoneus* at *Divio*, they fall upon *Gundebaldus* near the River *Oscara*, and putting him to flight drive him to * *Avenio*, which done, *Godegisilus* gives up part of the Countrey into *Clodoneus* his Hands, and departs to *Vienna* lying upon the *Rhone*. *Clodoneus* in the mean time pursues the flying Enemy, and besieges him in *Avenio*, where being reduced to great Straits, he sends *Aredius* his faithfull Friend to the Besieger, and he so works upon him by arguments drawn from the uncertainty of Fortune, that he persuades him to raise the Siege, which would be tedious and doubtful, and content himself with a yearly Tribute, which *Gundebaldus* should pay him, who thus recovered his former State and Condition, and *Clodoneus* returned into his own Kingdom. So *Gregory* the Bishop of *Tours* tells the story. *Prosopius* writes that the *Germans*, meaning the *Franks*, of their own accord, fell upon the *Burgundians*, and procuring *Theodorich* to joyn with them, they parted the Conquered Countrey according to agreement. However it's laid for the present, that *Gundebaldus* recovering himself refused to pay Tribute to *Clodoneus* according to the late Accord, and leading an Army against his Brother *Godegisilus*, besieged him in *Vienna*.

Forces the Burgundians to pay him Tribute.

8. All this while *Alaricus* Reigned securely over the *Vistgoths* or Western *Goths* in *Gallia Narbonensis*, having under his Dominion the whole Countrey lying betwixt the Rivers *Rhone* and *Loire*, as far as the *Pyrænean Mountains*. *Clodoneus* was so incensed against him for holding the *Arian* Heresie as *Aimoinus* believed, or rather

Rerum Boiar. l. 2. c. 490.

Lib. 2. c. 41.

In Panegyric.

L. 2. c. 49.

Divio Metropolis Ducatus Burgundie hodie Dijon, que hoc Metra inter plura, Divitiis condita habetur, unde, mihi potius restaurator, potiusque proditor Aurelianus Imperator. Nomen ab Divio quis plurimum dicitur fuisse Cadus impugnatum, tatur. Hac urbe nihil in Burgundia pulchrius, etc. Cadurum vocatur a Gregorio Turonensi.

* Avenio urbs Salutaris hodie Avinionem inter Rhodanum et Comtatensium.

Papius Massinus, lib. 1. p. 17.

Sect. 3. do tell us, who designing to speak well of the *Goths*, the one because of his Relation to *Theodorich*, and the other out of respect to his own Country-Men, brag of great things achieved by the *Goths* against those *Germans* whom they will have quite defeated, and to have lost more than thirty thousand of their Men. That there are flourishes appears from this, that these *Franks* were not only able to keep the Field, but lay Siege also the same year to *Arles*, the Metropolis of *Provence*, a thing more usually practised by the Conquerors, than those that are so shamefully beaten, as they would make them to have been.

Lays Siege to *Arles*.

13. In the mean time the *Visigoths* considering that *Amalaricus* the Legitimate Son of their deceased King, was exceeding young, sent him into *Spain*, there to be retrained for better times, and made choice of *Giseflaricus*, his bafe Brother, to reign in his stead, being by reason of his Age in a better condition to grapple with those difficulties that now pressed upon them. *Theodorich* was so kind, as to take upon him his Protection, and for that purpose, as was pretended, sent his Commanders and great Forces out of *Italy*, whereby, he became King of the Country, as *Procopius* not obscurely hints, which *Giseflaricus* well enough perceiving, boiled with Disdain and Anger, and entered into a Conspiracy against *Theodorich*, but being not able to effect any thing, and having few either Hands or Heads to employ, but what were at his devotion, upon discovery of his Design, was deprived of his Fortunes, and fled to *Transmundus*, King of the *Vandals*, into *Italy*, whence not able to procure any considerable assistance, at length he went into *Spain*, and after several fruitless attempts, was at last slain, and an end was put to all his troubles. But to return to *Clodoveus* and his *Franks*, after the raising of the Siege he sends *Theodoricus*, his Son, to take in the *Gothick* Cities, while he makes himself Master of several lying on the Sea Coasts, and amongst the rest, of *Tholuse*, the Metropolis of the Kingdom, and wherein was kept the Royal Treasure. Having taken *Bardigala*, or *Bordeaux*, he therein wintered, and in the Confines of this City defeated a number of *Goths*, who having survived the former Battle, had united themselves in a considerable Body, so great slaughter being made of them, that the place retained the Name of the *Arian* Camp, from this very occasion.

Takes *Bordeaux*, and defeats the *Goths*.

14. But the Conqueror was not content with the Conquest of those Cities, nor with the Accession of the *Cadurci*, *Rutheni* and *Arverni*, who yielded up themselves into his hands; neither yet did several parcels of *Aquitain* satisfy him, on which he had seized, having his mind fixed on *Provence*, which he sorely stomached, that *Theodorich*, partly by Force, and partly by consent of the Inhabitants, should have got into his Power. Impatient of a Competitor in the whole Country, he resolves to drive him out of *Gall*, and for that purpose lays a Siege to *Arles*, the chief City of *Provence*, situate upon the River *Rhône*, over which then lay a wooden Bridge. Here was fought a sore and bloody Battle, the great shock of which was sustained by *Tolus*, the Captain of the *Goths*, who after much slaughter removed the *Franks* from this Post, as *Athalarick*, the Successor of *Theodorich*, relates in a Letter to the *Roman* Senate. But the *Franks* though hindered from passing the Bridge, got over at another place, and stoutly besieged the City; yet being neither able to storm the place, nor starve out the Inhabitants, they revenged themselves upon the naked Country adjacent, by Plunder and Devastation, of which, when they would make no end, *Theodorich* sent an Army of *Gepidae* to restrain their Excesses. This obliged them to retreat, which they did, laden with very great booty, and *Clodoveus* flourishing with Military Glory, returned, and took up his Quarters at *Tours*.

After other places subdued he returns to *Tours*.

Is made Consul by *Anastafius* the Emperor.

15. As there he lay, Ambassadors arrived out of *Greece* from *Anastafius* the Emperor, who sent him the Ensigns and Ornaments of the Consulship. For that Prince being then in *Mesopotamia*, and hearing of the great things performed by him, thought it convenient, by such a kind of Empty respect, to gain his Favour, and he the rather, because *Theodorich*, the *Gothick* King, and the Emperor were at this time at odds about *Pannonia*, on which the *Goths* had seized, and the difference betwixt them was risen to an open War, *Romanus*, the Comes Domestickorum, and others, being about this time sent to waste the maritime Coasts of *Italy*. *Clodoveus* having received the Prefents with the Rescript of his Election, sent for *Theodorich* his Son, intending to make a very formal solemnity, and in the great Church of St. Martin, invested himself with the *Tunica trabata*, and the *Chlamys*, and with a Diadem on his Head, rode through the City, casting, as he went along, Gold and Silver to the People, being from that day forward, as *Gregory* of *Tours* phraseth it, termed *Tanquam Consul* and *Augustus*. From these words *Tanquam Consul*, as also from the want of his Name in the *Fasti*, it appears that by the Consulship now conferred on him

was

was not meant the ordinary Dignity and Magistracy which gave the characteristical Note to the Year, but the *Consulatus Magisterialis*, or that by Rescript or Patent, being honorary, and first brought up by *Julius Cæsar*. But about this remarkable passage in History, various are the Opinions and Judgments of Writers, as their Interests and Relations do severally bias and incline them.

16. *Baronius* will not believe that he accepted of the Honour, because his Name is not found in the *Fasti*, for he concludes, that the Emperor would never offer him the Honorary or Titular Consulship, being a thing much below him, and unusual to be conferred upon those of his Dignity. But the Cardinal measures the Actions of the King by his own Inclinations, and just like the ancient Historians that were Churchmen, looks at them still through a Glass of Religion, imagining that a Sword was made of the same Materials as a Bishop's Crozier Staff, or a Cardinal's Cap as a Souldier's Helmet. The reason that moves him to believe that *Clodoveus* would not accept of the Offer is this, that the Emperor was an *Arian*, and he would not have to do with an Heretic, full as probable as the conceits of those People who believed at *Rome*, that when our *Henry* the Eighth, and Queen *Elizabeth* were by them excommunicated, they would not only be cut off from the Body of the Church, but from Humane Society, and wither away and perish for want of Commerce with other Princes and Nations. What he farther alleges concerning the meanness of the Honorary Consulship, is founded but upon his own Surmises; for though it was lower than the Magistracy it self, and the Annual Dignity, yet was it wont to be conferred on very deserving and eminent Persons, and the thing was so new, and unusual to the *Franks*, that this might be some motive to accept it; besides, we might instance in marks of Honour of a more inferior Nature, and not go far from home, which have been accepted in later times, both by Kings and Emperours.

17. But he was now accounted *Tanquam Augustus*, and the *Purple Tunick* and the *Chlamys* were Ensigns and Ornaments of Royal Dignity, as well as the Diadem. *Fauchet* therefore the President interprets them as sent in token that he should remain invested with that Right and Superiority which the Emperours formerly obtained in *Gall*, noting farther, that as the Bishops of these times did dutifully demean themselves, to the Majesty of the Emperours, so few Kings were not wont to wear Crowns, till sent as Gifts from some greater Persons. Yet cannot he deny, but the giving of a largess to the People, was a thing usual and solemn to them that obtained the Consulship, and he was not thenceforward called absolutely *Augustus*, but *Tanquam Consul* and *Augustus*, to note that his Dignity was but borrowed. But farther, *Fauchet*, and some other Modern Writers, will needs that he received the Patriate also, or Honour of Patritian (not unusual to be given to Kings) from *Anastafius*; and *Papirius Massonius* amongst the rest, is pretty positive, farther observing, that this Honour was far different from the other of the Consulship, the Dignity of Patritian being perpetual, or for Life; whereas that of the Consul was but annual. But *Baronius* tells him, that for all this, the Honour of the Patriate was inferior to that of Consul, and that it was more common; and besides, he erroneously affirms, that all ancient Authors make mention of the one, but are wholly silent as to the other. Last of all, *Chiffletius*, no friend to the Grandeur of the French Monarchy, sticks to that of Consul, as not willing to allow the King of the *Franks* too much Honour. But what he confesseth bestowed and received from *Anastafius*, he useth as part of Promises, for ushering in a grand Conclusion, which he much labours, say sweats to make out. This is that the French Kings, by Permission and Authority of the Emperours, enjoyed their Kingdom, and so held it, though got by force and violence, that as Vassals they submitted and subjected it unto them, and observed and obeyed their Rules and Commands. In sum, he would from this and other Instances prove, that both the Kings and Kingdom of *France* are obnoxious and subject unto the Empire.

18. However, this Ceremony being over, *Clodoveus* departed from *Tours* to *Paris*, where, as *Gregory* words it, he placed the Chair of his Kingdom. There being settled, he busied himself with Domestick Affairs, and with something shortly after which happened amongst his own Countrymen, the occasion rather being taken by the King, than given by *Siebert*, *Canaricus*, *Rachmacharius*, and others of their petty Princes. *Siebert*, who having his Seat at *Coletz*, enjoyed no small Dominions on both sides of the *Rhine*, thought he was not sufficiently respected and rewarded for the great Services he had done *Clodoveus*, and thereat grew discontented, when in the mean time *Clodoveus* promised his Son *Chlodoric* that he should certainly succeed in the Inheritance after his Father's Death, and find

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Cadurci Reges de *Arverni* in *Gallia* *Celtica*. *Rutheni* item *Rati* *Celtica*.

And likewise the Honour of Patritian.

Lib. 2. c. 22.

Hist. lib. 1. p. 24.

Ad An. Christi 508. num. 2.

Epiaphanius ejus *Remigii* ut *servit* *compositum*, *bunc habes versum*, *Patrius magis* *no* *sublimis* *subit* *honore*. *Vindicta*, *Epiphanius*. c. 19.

He seized on the *Elze* and County of *Siebert*.

Sect. 3.

him both his loving and his constant Friend. *Clodoric* whatever the King spake or meant, made such an Interpretation as suited his Ambition, concluding that he advised him to hasten his Father's end; therefore following him over the *Rhine*, he slew him in the Wood *Barconia*, the same as some think with that *Forrest*, which at this day is called *Vesterwald*. The feat done, he gives *Clodonius* notice that his Father is dead, and desires him, to send some he could trust to receive his Treasure. He gladly sends thole that would bring it away, with what farther Instructions it's uncertain; but one of them as *Clodoric* opened a Chest, wherein he said his Father was wont to lay his Gold, bade him thrust down his hand and search it to the bottom, and as he did, and inclined his Body, he up with his *Bipennis* or *Francisca*, and struck out his Brains. *Clodonius* having received the News hastens to the place, and there professing to the People, that he was wholly Innocent as to any design against Father or Son, easily persuades them to receive his Protection, and lays the Countrey to his own Dominions.

Gregor. Turon.
lib. 2. c. 40.

Chararick.

19. *Chararick* had as we formerly hinted flood Neuter in the Battel, which *Clodonius* fought with *Siagrius* the Roman Captain, and envying his good Success, carried himself with little Respect toward him; all which the King bore in an exalted mind, and by a Wife getting both him and his Son into his hands, compelled them to be shaven and take Orders; the Father to be made Priest, and the Son to be ordained Deacon. On a time when the Father bewailed his Condition, the young Youth laid his hand upon his Chin, and shewing the small Rudiments he had of a shaven Beard, affirmed, that those leaves would in so flourishing a Tree grow again, and prayed, that he who had been the cause of cutting them, might as speedily perish; which Speech coming to the Ears of the King, he thought it fit to make sure work of it, and commanded them both to be put to Death. He thus made an end of them; but there was one yet behind, the greatest Object of his Jealousie and Indignation, which was *Rachnabarius* the Prince of *Cambrai*, and the *Atrebat*; a Man of a luxurious Life, and exceedingly puffed up with a Conceit of his noble Extract, which so far transported him, as to affirm, that the Kingdom of the *Franks* of right appertained to himself, being indeed the Great, Great Grandson of *King Clodio*. By doating on *Faro* his Minion, and his Lascivious Carriage, he so provoked his Subjects, that they conspired against him, and sent to *Clodonius*, offering to betray him into his hands. He who only watched for a convenient opportunity, most gladly closed with their Proposals, and to the Conspirators sent good store of Gold as they thought; but it was onely Brags money cunningly Guiled. *Clodonius* raises an Army, and marches to them; a Battel is pitched on both sides, but *Rachnabarius* hath his hands bound behind him, and is so presented to the King, with his Brother *Richarius* in the same posture, both whom he upbraids, that being of the Royal stock, they should suffer themselves to be bound, and threewith kills them in the place. They being dispatched, he procures another Brother they had, *Rignomeris* by Name (otherwise called *Ricinnirus* and *Ricimirus*) to be slain, and so possesseth himself of all their Dominions, and their Treasure. Many other Princes out of Jealousie he put to Death, and so many of his Kindred, that one day as his Nobles stood before him, he bemoaned his Condition, that he was an Alien amongst strangers; having never a Kinsman to stand by him in Case of necessity, which yet some thought he spake craftily, to see if any one would present himself as of the Royal Race. But the Traitors who complained, how that their Gold was turned to Brags, he refused otherwise to require than with a severe reproof, as deserving Death it self, for their Ingratitude and Treachery to their Prince.

20. While *Clodonius* thus endeavoured to secure to his own Posterity, what he and his Ancestours with so great labour had obtained, about two years after, Death summoned him to other Mansions in the thirtieth year of his Reign, and in the five and fortieth of his Age. In several Authors he hath several Names, of which we must advertize the Reader, lest he be confounded and mistaken in his perusal of the Histories of these obscure times. In his Epistle to the Bishops after the *Gothick* War, he calls himself *Clotonechus*. *Theodorich* King of *Italy*, directs his Letters to him by the Name of *Ludvin*: In his Epitaph recited by *Aimoinus*, he is called *Clodonius*; in the Testament of *Rhemigius* the Bishop, who baptized him *Fludonivus*; by *Sigebert* the Historian *Ludonivus*; by *Contractus* and *Albericus*, *Clodius* in an ancient Table at *Brussels*, where he is pictured *Clandius*, and *Clodius* with the *u* vowel, commonly by the Modern *French*. In the said Table, as his Father is pictured with his back turned, and with a strange and foreign Cap on his head, to signify his flight and Exile; so he is to be seen, with his Eyes lifted up towards

* Quem bodie Lud-
divonem Latini
vocant Cador La-
tovicum dixit.
Erit itaque Lugi
et Wite gentis
et vera socii na-
tati, ut nihil a-
liud significaverit
quam Populi
Refugium. Lug
enim bodie Teu-
ronicus est Popu-
lus, Wite Belge-
gium. Ludwin
aut Hlodwin to-
dem fere vocatur,
nam Ludi et Lay-
idem quod ante
dictum, Populum
nobilem, Wite ac-
tem Fuldam
quid et weno-
flum, delicias e-
stem et grem-
ium fecerunt, ut
Hlodwin hoc patris
intellectus facit
populi amos,
delicias et cen-
tillas.

wards

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wards Heaven, and his Hands closed as praying and imploring divine Assistance, in Memory, as it seems, of the Battel fought with the *Alemans*. He was certainly a considerable Man, and for his great Achievements against the *Romans*, *Alemans*, *Goths* and others; and for enlarging to so great a Proportion, the bounds of the French Empire deservedly obtained from Posterity, the Surname both of the Warrior, and of the Great: As for his Piety, how it could conflict with such particulars as we have mentioned, let *Baronius* and other Church-men, who are most concerned look to that: He was buried at *Paris*, in the Church of the Holy Apostles *St. Peter* and *St. Paul*, founded by himself, which is now changed into that of the Abby of *St. Genesieve*, where his Effigies was to be seen in the days of *Papirius Massimus*. His Death happened, five years after he had slain *Alaricus* in the twenty fourth Year of *Anastafius* the Emperor, the twenty second of *Theodorich* King of *Italy*, A. D. 514. *M. Aurelius Cassiodorus*, whom we have so often mentioned without a Colleague, being Consul. So some collect, but *Scaliger* perhaps with better reason calls it back to the 509. Year of our Lord.

The division of
his Kingdom
amongst his
four Sons.

21. He left four Sons behind him, *Theodorich*, *Clodomir*, *Childebert* and *Clotharius*, who divided his Kingdom equally amongst them. *Theodorich* reigned at *Metz*, *Clodomir* at *Orleans*, *Childebert* at *Soissons*, and *Childebert* enjoyed his Father's seat at *Paris*. E'er they were well settled, the *Danes* under Conduct of *Clochilachus* their King, invaded the Maritime Coasts of *Gall*, and light upon a certain Village belonging to *Theodorich*, which plundering and wafting at their Pleasure, with their Booty and Captives they endeavourd to put to Sea again; their King refusing to go aboard, till he saw them all shipped and put off. But *Theodorich*, having timely notice of this Piracy, sent his Son *Theobert* with a considerable Power into those parts; who being a young Man of excellent Endowments, so ordered his matters, that he surprized their King e'er he could get to Sea, and then with a Fleet he had ready at hand, set upon the Danish Navy and defeating them, recovered all the Booty they had got. At this time, three Brothers reigned over the *Thoringi*; *Badericus*, *Herminefredus* and *Bertharius*. *Herminefredus* first slew his Brother *Bertharius*, who left a Daughter called *Rade Gund*, besides several Sons. Not herewith content at the Instigation of *Almaberga* his Wife, who used several Tricks to increase his Jealousie and Ambition; he called in *Theodorich* to his Assistance against his other Brother, promising to divide his Territories equally with him: Joyning therefore their Forces, they fell upon *Badericus*, and easily overpowering him, destroyed both him and the greatest part of his Army. This done, *Theodorich* departed home not doubting, but the Conditions of the League would be performed. But *Herminefredus* thought nothing less; for being once rid of *Theodorich*; who hereupon boiled with Anger against him, but for the present found no sufficient opportunity to revenge himself.

22. But it was not long, e'er his thoughts were diverted upon another Subject, by the advice and procurement of his Mother. The Murder of her Parents, still ran in her mind, the had often in vain desired their Deaths might be revenged; but now the thought Providence had decreed it, giving her so many Sons, of whom, though one or two might perish in the Attempt; yet she concluded the thing would be accomplished amongst them. To persuade them, she used powerful Rhetorick, such as suited the Passions both of a Daughter and a Mother, to which she added, as the thought as powerful Reasons, drawn from the same principles of Ambition, and Cruelty which she affirmed, would produce the same Effects towards the Grand-Children, and so much worse by how much the Bais and Allurements of so great Territories as they now possessed, were greater than those of their Ancestours, overcome (it's probable) rather with hopes of bettering their Condition, than of preventing the mischief by her objected, they leaved Forces and with their joyn't Powers resolved upon an Invasion of *Burgundy*. Before this time *Gundebald* was Dead, and *Sigismund* his Son had succeeded him, whose first Wife was the Daughter of *Theodorich* King of *Italy*, and by her he had a Son called *Syngirius*; but after her Death married another, it seems some waiting Woman, which as the Custom of Step-mothers is, very much hated, and maligned the Youth. He was sufficiently sensible of it, and so imprudent, that on a Festival day he upbraided her for wearing his Mothers clothes, which drove her into such a Rage, that she never ceased to inflame his Father against him, telling him of strange Designs he had to usurp and joyn the Dominions of his Ancestours, to the Italian Kingdom

Y y 2.

of

Disordum bo-
die Metz ut Gre-
gorius Turonensi-
us alius Meten-
sis Metis Metu-
marius olim Re-
gia ex Metropo-
lis Austrasie, Ro-
mani hodie in
pridem imperii
sed a Rege Fran-
cie, Anno 1552.
cum aliis occupa-
ta: Sitae ad
confinem Del-
tie in Neffelm.
Gessum alio no-
mine Aurelii ex
Aureliani hodie
Orleans ubi ad
Ligerim Corru-
tum vocatur.
Angula Swis-
sonum ville de So-
issone ubi Gallie
hodie. Lueria Me-
ropolis Parisiorum
ex tunc Gallie
hodie Paris.
ram. lib. 3.
c. 4.

Gundebaldus a.
Calend. April.
An-
Lugduni Althim
Cognite, Regis ab
se edictis nullis,
que exant, ca-
ram ex Gregori-
us meminit.

And Rachn-
charius and o-
thers killing
them, adds their
Country to his
own.

Clodonius dies.

Sec. 3. of Theodorich his Grandfather. Sigismund at length overcome with her Importunities, caused the poor young Man as he slept to be strangled; and presently after, though too late repenting, went and spent his time in a Monastery, bitterly lamenting his cruel Jealousie and Paricide, which was shortly after revenged upon him, as our Authors observe.

23. For the Sons of Chrotildis in obedience to her Commands, invade Burgundy with a great Army. He made as great Preparations for resistance, as time would give him leave, and Courageously opposed himself against the Invaders, but in Battle had the worst. His Brother Godomir escaped, but he himself was taken together with his Wife and Children by King Clodomir, and committed to close Prison at Aurelia, or Orleans, where while he remains, Godomir gathers together his dispersed Forces, raises new ones, wherewith joining a fresh Army, he renews the War. Hereupon Clodomir being obliged to buckle himself to Action, would not be persuaded to spare Sigismund, because he should leave an Enemy at his back, but, though some Church-men foretold that in Case he slew him, he should miscarry in his Attempt, and receive the very same measure, put him to Death together with his Wife and Children. Then the following Spring did he invade Burgundy, and as soon as Godomir appeared in the Field, he put his Army to flight, but giving the Chace, the heat of his Blood, and desire of Glory so transported him, that he came up with the middle Ranks of the Burgundians before he was aware, and being known by them was incompassed, and when he refused to yield to quarter, was immediately slain. His Head was set upon a Spear, by so sad a Spectacle to terrify and dishearten his followers; but they were thereby stirred up to greater Animosity, and moved to revenge his Death, which they did to purpose, pursuing them so far that they utterly defeated them, and then returned home with the News of Clodomir's death. Clotharius his Brother married Gundeaca his Wife, and with her his Kingdom. Chrotildis his Mother, as soon as Grief would give her leave, sent for his three Sons, Theodonald, Gunthar and Clodonald, and with all Care imaginable brought them up.

24. All this while, Theodorich his mind was fixed upon Herminfredus Prince of the Thoringi, whose shuffling and refusal to allow him his share in the Booty, they had unjustly got, so overpowered his thoughts, that these Wars were scarcely able to give him any diversion. He persuaded his Brother Chlotharius to join with him, promising him a share of the Prey, and by a set Speech to the principal of the Franks, wherein he painted out the cruel usage of the Thoringians toward their Ancestours, he prevailed with them to undertake the expedition, and that with much alacrity. Accompanied with Chlotharius his Brother, and Theodobert his Son, he invaded their Country; where as he was to pass, they had digged Pits and covered them over with Earth, and the device took at the first, a small number of Men and Horses falling into those Snares; but the thing being once discovered, the Franks were so cautious in their March, that none of these Wiles would farther succeed, and coming once to engage their Enemies, they overthrew them with so great slaughter, that the River Onefrudis, is said to have been so filled with dead Bodies, that they passed over upon them, as on a firm Bridge. Herminfredus with much ado escaped, and secured himself in a Fort, whither after his retreat, Theodorich sent to him, and with great Promises and Obtestations persuaded him to come to him to Tulbiacum, where as they once walked together upon the Wall, he fell down and died of the bruise. Gregory professes he knew not how he fell, although many affirmed, that Theodorich was the cause of his Death, Aimoinus writes expressly, that he took his opportunity, as they walked and discoursed together, and threw him down Headlong; and this no whit Contradicts the probability of the Fact, that he being Dead, he procured all his Children to be strangled. This done, all the Country he subdued under the Dominion of the Franks, who as Aimoinus observes, had formerly inhabited the Territories of Thuringia.

25. That Theodorich his Conscience was not so tender, but it could sufficiently digest such a Murder as this, farther appears, from what he attempted against his Brother Chlotharius, while they yet remained in Thuringia. Having a design to make him away, he sent for him to consult about some pretended business, and behind the Hangings, in a Room where they were to sit, placed some armed Men, who being in good time discovered by Chlotharius, he refused to consult without his followers at his back; so that Theodorich, seeing his design was brought to light, fell off, excusing himself, in which Art he was very expert, and presented him with a Silver Dish, which afterward repenting he had been so bountifull, he sent his own Son Theodobert to beg of him. Chlotharius returned the Dish, and retires home, having

Gregory. Toren.
lib. 3. c. 6.
Aimoinus de Ge.
stis Francorum,
lib. 2. c. 4.

Thuringia Regis
est Germania dicit
Althim flumen
priscum hodie na-
men retinet.

ving married Radegund the Daughter of Bertharius, late Prince of the Thoringi. But still the Invasion of this Country, gave occasion to farther mischief. A report was spread amongst the Arverni, that Theodorich was slain; whereupon Archadius one of the Senators, sent to Paris to Childebert, and invited him to come and take possession of his Brother's Kingdom. He came with all speed, and by the means of Archadius got into the City; but upon the Rumour that his Brother was alive, and returned out of Thoringia, he secured the place, and retired with intention to make a Journey into Spain, in behalf of their Sister Chrotildis. This Lady had been at the importunate suite of Amalricus King of the Goths in that Country, by her Brothers given him in Marriage; but was not treated in any fashion becoming her Birth, or Quality, on the contrary handled like a Slave, affronted upon all occasions, and Contumeliously used, upon the Account of her Religion especially. For her Husband moved with his Arian Zeal, as well as the violence of his own Dispositions, caused Excrements and filth to be cast in her way, as he went to the Orthodox Church, and beat her so cruelly, that the Blood trickling out of her Body, he therewith dyed an Handkerchief; and as Gregory reports, sent it to her Brother. Aimoinus tells us, that tired with those Indignities and cruel Usages, he wrote Letters to her Brothers, which came to the hands of Childebert, as he lay in the City of the Arverni, which he had by Force wrested from the Dominion of Theodorich.

Childebert in-
vades Spain.

26. Childebert exceedingly provoked by these Letters, and being a Man expert in whatever concerned War, with all speed marched into Spain, hoping to surprize Amalricus. But he found him not unprovided, either by Sea or Land, and by Land it was agreed, that the Controverſie should be decided. There wanted no Courage on either side, but the Franks had the advantage in their Horſe, which being too strong for the Goths, bore down all before them, and after great Execution utterly routed them. Amalricus flying for his Life, made toward a Church of the Orthodox Christians, but before he could enter was overtaken, and slain by a Trooper of the Franks. Childebert hearing he was Dead pursued, his Victory, with the Terror whereof the Citizens of Toletum being struck, he easily took the place, in which finding his Sister, and exceeding great Treasure, with them he returned into France; where e'er they arrived, Chrotildis died in the way, and being brought to Paris, was there buried by her Brother. But while Childebert invades the Dominions of another, he looses what he had lately made his own at home. For Theodorich disdainful to loose his Towns, on which the other upon the Rumour of his death, had so confidently seized, thought not himself obliged to the manners of staying for his return, but with all speed attempted the recovery of his own Inheritance. Entering the Country to punish the Inhabitants for their easiness, in submitting to an Usurper, he wastes all with Fire and Sword. Archadius who had betrayed the City, fled to the Bituriges, but Placidia his Mother, and Alchima his Sister were taken and confined to Cadurcum. There was one Munderic, who affirming himself the Kings Kinsman, Challenged the Sovereignty as his due, and prevailed with many of the ordinary sort, to own him for their lawful Prince. Refusing to repair to Theodorich, as knowing sufficiently for what purpose he was sent for, he secured himself in a Castle called Vitoriacum; and he and all his followers resolving to die rather, than to put themselves into the hands of their Treacherous Enemies. Yet when all other attempts failed, by reason of the strength of the place, and valour of the Defendants, Theodorich procured Aregiflus to Trepan him, who took an Oath (his hands touching the Sacred Altar) that he should receive no harm. When he brought him forth, upon a Watch-word given, the Souldiers were to fall upon him, which Munderic perceiving upbraided Aregiflus, with his perfidious dealing, and vowing that he should not reap any benefit by his Treachery, presently ran him thorough with his Lance. Then the Souldiers coming on, he so laid about him, that he killed many upon the place, and fold his Life at so dear a rate as could be imagined. Being thus made away, his whole Estate was seized by Theodorich.

A War against
the Burgundians.

27. Theodorich being thus employed, Childebert returns, and whether induced by their own Inclinations or the mediation of Friends the two Brothers make a Peace, giving Hostages on both sides, who within a while were all sold for Slaves, the League being of no long continuance. But while they were friends Chlotharius and Childebert resolved to make another expedition into Burgundy, and it possible to perfect the Conquest of that Country. They invited Theodorich to join with them, but he having Married the Daughter of Sigismund plainly refused, neither would

Sec. 3.
Arverni les Au-
vergnais le Pon-
tife d'Auvergne,
gens inter Celi-
cas olim-poten-
tissimas.

Bituriges vulgo
Berry.
Cadurci, People
de Rherci quon-
dam Metropolis
fuit Duerna.

Sect. 3.

The French King Theodorich Dies.

The Seats.

And Kings of the
Burzendians.

would he permit any of the *Arvern*i to serve in the War. Yet did they manage their matters with that dexterity, that they took *Augsfordunum*, and driving *Godomir* quite away, made themselves Masters of all *Burgundy*. Thus Gregory tells the story as done in the Life time of *Theodorich*, but *Cassiodorus* who lived at this very time, and had more reason to understand how matters went than he, relates other passages antecedent, which he omits, and speaks of the Death of *Theodorich* before the Conquest of that Country. From his Letters to the Senate and People of *Rome*, it appears that *Athalarick*, who by this time had succeeded his Grandfather *Theodorich* in *Italy*, sent a great Army against the *Franks*, that *Theodorich* Brother of *Chlodimir* and King of the *Franks* Died, during the stay of the *Goths* in *Burgundy*, and the *Franks* declining a Battle, the *Burgundians* betaking himself to the *Patrolage* of the *Goths*, recovered by intreaty what he had formerly lost in Fight. However not long after, *Godomir* or *Gundemar* as some call him, for all his *Gothick* Alliance, was by *Childebert*, *Clotharius*, and *Theodebert* their Brother's Son beaten quite out of his Kingdom, spoiled of all Power and Dominion, and driven into Exile.

28. So that here the Kingdom of the *Burgundians* receiveth its period, who being a People of *Germany* and living beyond the *Rhine*, had first under *Honorius* the Emperour Ground allowed them to inhabit in those parts of *Gall* lying nearest to that River. After the Overthrow received from *Aëtius* under *Valentinian* the third, *Spanandia* was given to such as remained of them, which they parted with the Natives and there planting themselves, quickly began to spread through the Neighbouring Territories, and by degrees made themselves Masters of that part of *Gall* called *Lygdenensis prima*, *Maxima Segnanorum*, *Vienneensis*, the *Alpes Graïæ* and *Jennine* with the Province lying on this side *Dreutina* now called *Durance*. These Kingdoms are mentioned in our Books: *Gundicans* who assisted *Jovinus* the Tyrant in affixing the purple, and being overthrown by *Aëtius* the Roman General obtained Peace. *Gunderick* and *Chilperick* his Sons assisted *Theodorick* the second King of the *Goths*, against *Retaricus* King of the *Suvis* in *Gallacia*. *Chilperick* had his Seat at *Genova* (now *Genova*) upon the lake *Lemanus*. The Sons of *Gunderick*, viz. *Gundeald* (or *Gundebad*) *Godezifil*, *Chilperick* and *Godomar* divided the Kingdom amongst them. *Gundeald* by degrees having made them all away, Reigned alone as we have lately seen, and by *Chilperick* his Brother had two Nieces: *Chrena* made a Nun, and *Chrotildis* whose Children fully revenged upon his the Death of their Grandfather. For *Sigifmund* his Son was taken and Slain by *Clodomir*, who also defeated his Brother *Godomar* though he was Slain in the pursuit, and could not perfect the Conquest. But this was done for him by *Childebert* and *Clotcharius* about the sixth year of *Justinian* the Emperour, and the seventh of *Athalarick* King of *Italy*, A. D. 532. Thus much we thought to add in a summary way concerning the ancient Kingdom of *Burgundy*, both that the Reader's memory might be helped as to the Succession of the Kings, and that by the Territories which this day go under that Name, he might not be mistaken concerning the true extent of the Country.

29. To return to our *Franks*, *Childebert* and *Clotharius* the two Brothers having got possession of the fair Territories of the *Burgundians* were not therewith satisfied, but this Morfel rather whetted their Appetites, and fitted them for swallowing a greater bit, *viz.* The Patrimony of their own Nephews. The three Sons of *Clovis* mir were all this while Educated under the tender Eye of their Grandmother at *Paris*, which *Childebert* grudged to see, and fearing that by her means they might become more Potent than he thought would well confist with his own Interest; he sent to *Clotharius* his Brother who having Married their Mother, and with her having got Possession of their Inheritance, he doubted not would be moft ready to listen to his Advice, to meet him speedily at *Paris* there to consult, whether they had better ihave the Boyes, and cause them to enter into Orders, or rid them of their Lives, and themselves of all occasion of fear and jealousy at the same instant. *Clotharius* needed no Wings to make him flie to *Paris*, where when arrived, there needed as little Consultation, but calling for that *Archadius*, who by his Treachery had ingratiated himself with *Childebert*; they sent him to their Mother with a pair of Sciffers and a naked Sword, bidding her make choice of one of the two, to cut out and determine the Fortune of her Grandchildren. She falls into a great Rage, and in her fury lets fall this Expression, that she had rather see them Dead than shaven, if so the safe flood that they must not Reign. *Archadius* takes her at her word, and returning speedily to those that sent him, tells them that the Queen complied fully with their desires. They hereupon haste thither where the Children

CHAP. I. *Contemporary with the Const. Roman Empire.*

{ Childebert,
Clotarius
Theodobert

Two of *Codomir's* Sons murdered by their Uncles.

The third turns
Monk.

Theodbert Son
of *Theodoric*
like to be ru-
ined by his
Uncles.

Lie, and *Chlotarius* taking the Eldest Boy throws him on the Ground, then runs his Sword into his Body under the Arme, and so dispatches him. He that next to him in Age affrighted with his cries and lamentations, casts himself at the Feet of his Uncle *Childeberg*, and calling him Father, with all the Rhetoric which in so great an Achill he his Childlike Abilities could afford to save his Life. *Childeberg* was moved with the Anguish he saw him in, and with tears in his Eyes besought his Brother to spare him, offering him anything he would ask in return for so great a kindness. But barbarous and furious *Chlotarius* in great heat upbraids him with his Inconstancy, that having given Original to this Enterprife, he now deserted the cause, and vowed that if he would not put the Boy from him, he should die in his stead, which made his Courage fail him, and he deserting the Child, *Chlotarius* seized on him, and Murdered him in the same manner he had done his Brother.

30. So perished two of the Sons of *Cleodimir*, whereof the Eldest was but ten years old, and his younger Brother exceeded not seven, which feat accomplished, their good Uncles sent after their Attendants to wait on them in the other World, as had been anciently the custome of Princes. But part of their Pray they mislaid; ^{as for} for, while they were busie with those two, the third, *Cleodaldus* by name, possib^{ly} being in some other Apartment was conveyed away by his Servants, and rejecting all hopes of an earthly Kingdom shav'd himself, entred into Orders, and being afterward made Priest, lived and died with great Reputation for Sanctity, at *Novigentum* a Town distant but four miles from *Paris*, which from him received a new Name, and at this day is called *St. Clow*, after the manner of the Abbreviations of the Modern *French*, at present the Retirement of the Duke of *Orleans* and the Princeess *Henrietta* of *England* his Lady. In all this affair we hear nothing of *Theodorich*, which makes us more confident he was Dead before this, whatever some of our Historians write to the contrary. *Theodobert* his Son succeeded him in his Kingdom of *Metz*: or *Austrasia*, having Married *Wifegarda* the Daughter of *Wacon* King of the *Lombards*, over whose Head he afterward brought another Wife upon this occasion. The *Goths* having after the Death of *Cleodanawd* recovered much in *Gall* that he had taken from them, *Theodorich* sent this his Son *Theodobert*, and *Chlotharius* also *Guntharius* his eldest Son to recover those Territories out of their Hands. *Gunthar* went as far as the *Ruteni*, and then, for what cause nobody knows, returned. *Theodobert* proceeded as far as the *Bituricks* or *Bearne*, where he took the Castle *Deas*, and coming before another Town called *Capraria*, one *Dentaria* presented her self to him to mitigate his displeasure against the Inhabitants, and then she demanded her self, that he fell in love and afterward Married her, though he had another Wife, and the an Husband yet living in another place.

31. Yet do our Hilarions speak much in Commendation of *Theobert*. His Father having Murdered *Syzginal* his Kinsman, sent and Commanded him to deal in the same manner with *Gynald* his Son, but he shewing him his Father's Letters, he sent him out of the way, and when he came to be King reformed him his Patrimony. His Father Dying after he had Reigned above two and twenty years, *Childebert* and *Chlorbarius* his Uncles did all that lay in them to deprive him of his Life and Inheritance, and might have done much if he had not had timely notice of his Father's sickness, and got to the place before he expired. Being stoutly defended and secured in his Throne by those of his Subjects, living about *Leodum* or *Leige*, his Uncle *Childebert* who was the better of the two, and perceived he could not prevail against him, invited him to his Court, made much of him, and preferred him very richly at parting, putting him in hopes that he should succeed him being Childless. Now he was King, he carried himself as a Prince both Great and Good, Governing with Justice, respecting the Clergy, indowing Churches, relieving the Poor, and besides many other good deeds, remitting all the Tribute that was due to his Exchequer from the Churches of *Auvergne*. However *Deutheria* whom after his coming to be King he had Married, having a Daughter now Marriageable by her other Husband, was so jealous of him, that she caused her to be put into a Chariot that was drawn by untamed Heifers, and Drowned at *Virodunum* in the River *Mosla*. This coming to the knowledge of *Theobert* to gratify his Displeasure, as well as the earnest desires of the People, he put away *Deutheria* though he had by her a young Son called *Theobald*, and took to him *Wifegarda* whom he had Married seven years before. She Dying not long after, he Married another, but would not have to do with *Deutheria* any more.

Virodunum hoc in loco non est *Virodunum* *Aeduntum* *Virdun* sum *Saonne*, sed *Virodunum* *stediomatricum*, seu *Virdun* en *Lorraine* affidens fluvio *Mosa* hodie *Meuse*.

Sect. 3.

32. *Childebert* and *Theodobert* his Nephew were now very gracious. Notwithstanding the Clemency that's ascribed to the one, and Goodness to the other; yet considering the temper and custom of their Family, a wonder it were if this friendship and alliance did not tend to the Destruction of some of their nearest Relations, to the shedding of some of their own blood. They now lay their Heads together, and consult how to out *Chlotharius* of his Kingdom, raise Forces with such speed, and march against him with such expedition, that being surpris'd, he was not in case to take the Field, but rather concealed himself in a Village about *Orleans*, where yet they discovered him, and were about to finish their Work, when miraculously they were prevented. *Chrotildis* hearing that of her two Sons that remained, the one was about to sheath his Sword in the Bowels of the other, and calling to mind how since the time she had first set them on work of killing their Relations, her Children had neither spared Uncles nor Nephews, nor any others whatsoever, but like Savage Beasts, the more blood they tasted, the more they thirsted after it, she exceedingly afflicted her self, and going to the Tomb of *St. Martin*, poured out her tears and Prayers to Almighty God, deprecating his displeasure, and implored his help in this time of extremity, to take up the quarrel betwixt her two Sons e'er it should proceed to farther mischief. And according to her request, to prevent what she most feared, on a sudden such Storms and Tempests of Hail and Thunder arose, that overthrew all their Tents, broke the order of their Armies, and beat to the Ground the two Aggressors, who prostrate on their Faces, asked pardon for what they had done, and sent to *Chlotharius* to desire all past might be forgotten, and a firm League of Amity and Alliance might be Concluded. He at whose Quarters not the least disturbance of Weather had happened, readily granted their request, and so through the Prayers of their Devout Mother as our Authors observe, all matters were compos'd.

An expedition into Spain.

33. *Childebert* being now at leisure, began to think of his expedition he had made into *Spain*, and how he had taken the City *Toledo*. He thought he had not done enough to revenge the injuries offered to his Sister, but especially desired to become Master of that Countrey, of which at that time he had but had a prospect. He easily persuaded his Brother *Chlotharius* who bore a mind as restless and ambitious as himself to join with him, and together they march as far as *Casaraugusta*, (now *Saragossa*), which refusing to open to them they closely besiege. Such was the condition of the Town, that the Defendants perceived they had nothing to trust to but their Prayers, and made their solemn Processions about the Walls, which the *Franks* seeing at a distance, imagined they were about some magical Charms and Incantations, and apprehending a Countreyman, demanded of him what might be the meaning of such a shew. He answered, that they Prayed to Almighty God for the preservation of their City, which the Kings understanding, desired some Reliques of *St. Vincent* the Martyr, formerly a Priest of the place might be sent them, and raising their Siege departed into other Quarters of *Spain*, which having subdued and waited they returned home with very great Booty. So lame is the account we have concerning this expedition from *Gregory of Tours*, and such as follow him, and as herein they are deficient, so they totally omit another affair, the knowledge whereof is more necessary to the understanding of the State of this Nation. At this time *Belisarius* as we have in its place shewn at large, was about to make War against the *Goths* in *Italy*, who being fore press'd with the difficulties that impended, *Theodatus* their King sent and made an Alliance with the *Franks* on these terms, that to them should be resign'd all that part of *Gall* which the *Goths* had hitherto possess'd with twenty thousand *Aurei*, on condition that with the *Goths* they would jointly manage the War against *Belisarius*.

Providence delivered to them by the *Goths*.

34. But e'er this accord could be perfected *Theodatus* Dies, and *Vitigis* succeeds him, who perceiving plainly that he could not call that Army which lay in *Provence*, under the Command of *Martius*, to his assistance, but the Countrey must be expos'd to the Inroads of the *Franks*, caus'd it to be deliver'd up into their hands, with so much money as *Theodatus* had promised to procure their friendship, (for they were ever most averse to the *Goths*), and their assistance against the Emperor *Justinian*. *Childebert*, *Chlotharius* and *Theodobert* having received the money and Territories, and divided them amongst them, embraced the Amity of the *Goths*, and promised them succours, but profess'd they could not send them any of their own Nation, because they had entred lately into friendship with the *Greeks*, and promised assistance to *Justinian* in this War. But thus became the *Franks* Masters of *Provence*, and that with content of *Justinian* the Emperor, who confirm'd at their desire what the *Goths* had granted, as *Zonaras* observes out of *Procopius*. Now did they

Tom. 3. Annot.

{
Childebert
Chlotharius
Theodobert.

Sect. 3.

they possess the famous Colonies of the *Phocians* at *Massilia*, at *Ague Sextimæ*, and of the *Romans* at *Arelatum*, and as *Procopius* testifies, began to stamp Gold Coins, not with the Image of the Emperour, as the custom was, but with the Effigies of their own Kings; whereas to the *Perſian* King himself it was not lawful, nor to any other Barbarian to Coin Gold money, though that of Silver was permitted them. Afterwards the War growing hot in *Italy*, *Theodobert* that he might seem mindfull of his word, sent ten thousand Foot to the assistance of the *Goths*, but these were not *Franks* but *Burgundians*, who were Commanded to say, that they came without any Orders received from him, for fear of disobliging the Emperour. When the War was grown out in length, and both *Goths* and *Romans* were wasted and spent, our *Franks* conceived it easy to get a good share of *Italy*, and repined to sit idle at home and be lookers on, while others disputed a province so near adjoining. Forgetting then their late Oaths and accords both with *Romans* and *Goths*, (for this Nation of all others is most faithless, faith *Procopius*), with an Army of fifty thousand men under Conduct of *Theodobert*, they invaded *Italy*.

They invade Italy.

35. Amongst them there were some few Lancers to guard their King. The rest were Footmen without either Bows or Lances, wearing a Sword, a Shield, and a Battle-Axe, the Iron whereof was broad and sharp on both sides, and the Handle very short, and this upon a signal at the first Charge, they were wont to cast from them to break the Enemies Shields and kill their men. How they deceived both *Goths* and *Romans* we have shewed in a more proper place, as also how passing the *Poe*, they sacrific'd such Women and Children as they found, and cast them into the River, as the first spoils of War, retaining yet (as *Procopius* affirms,) though Christians much of their old superstition, and using Sacrifices and other impious Rites in making their predictions. We need here put the Reader in mind how they were straitned for Provisions, and how *Theodobert* being seriously admonish'd by *Belisarius* to consider what he was about, resolv'd it was best for him to quit *Italy*, and to return home, for which relations we are beholding to *Procopius*; *Gregory of Tours* saying little to the purpose of these matters, and telling an idle story of the Daughter of *Theodorich* King of *Italy*, begotten on the Sister of *Clodoveus*, as that she Married a Slave, and for that being prosecuted with War by her Mother, she poisoned the old Woman in the Chalice, for which being depoyed by the *Goths*, they chose *Theodatus* King of *Tuscia* for their Prince, who put her to Death for her unnatural cruelty towards her Mother. This you must know the Kings of the *Franks* took most heinously, and sent to *Theodatus* vowing to be revenged on him for the Death of their Kinwoman, except he would compound the matter. He sent them fifty thousand *Aurei* to be friends, which *Childebert* and his Nephew *Theodobert* parted betwixt them, *Childebert* ever bearing evil will to *Chlotharius*, who was yet even with them, having got into his hands all the Treasure of their Brother *Cleodimir*. Notwithstanding the receipt of this money, yet *Theodobert* invaded *Italy*, and being straitned for Provisions, returned home with very great Spoil.

-blot
h.

36. To let pass this fable of *Gregory*, and apply our selves to the Narrations of *Procopius*, who was an eye-witness of most of these Transactions, we are told farther by him that the affairs of the *Goths* being well-nigh sunk, and *Belisarius* lying before *Ravenna*, *Theodobert* thought to make an advantage of their Necessities, and sent to *Vitigis* their King, offering that if he would divide *Italy* with the *Franks*, he would bring such an Army into it, as should easily drive thence *Belisarius* with his *Greeks*. The noise of this Embassy coming to *Belisarius* his Ears, he sends his Messengers to *Vitigis*, who convinc'd him and his *Goths* that it was their interest rather to make an accord with the Emperour, than those perſidious *Franks*, and a resolution they took accordingly, sending away the Ambassadors with a flat denial. Yet for all their good thoughts of the Emperour's Alliance, was *Vitigis* within a little time depoyed of all Dignity, and carried Prisoner to *Constantinople*, and *Totilas* was chosen King in his stead. He having taken *Rome* but not able to keep it, having demolished part, and quitted the rest to his Enemies. This caus'd him to cast away all thoughts of demolishing any more of that City. He supplied it with Provisions, command'd to be re-edified what was beaten down at his first taking of it, sent for the Senators and others home that were confin'd in *Campania*, and held the Solemnity of the *Circenſian Games*. Of such Reputation and Authority at this time was *Theodobert*.

Z z

37. As

Sect. 3.

Thrace wasted
and a quarrel
with the Empe-
rour.

37. As he was of great Reputation, he was sufficiently sensible thereof, and as of his own Disposition he was bold and active; he now began to entertain greater Conceits and Imaginations in his Head than formerly. While *Narjes* was busied in Italy, and the Emperor's Forces employed against the *Goths*, he thought of no less than invading *Thrace*, which having Conquered and wasted he designed to lay Siege to *Constantinople* itself. He levied great Forces, and that nothing might be wanting to so great a design, he sent to the *Gepidae*, *Lombards* and other bordering Nations to make them sensible of the danger they were in, and to shew how intolerable a thing it was, that *Justinian* in his Imperial Edicts should call himself *Franciscus*, *Alemanicus*, as also *Gepidicus* and *Longobardicus*, besides other Titles, as if he had indeed Conquered all those Nations. And indeed to speak the truth, as well in behalf of *Theodobert* as others, that *Justinian* took the several Titles of *Alemanicus*, *Gothicus*, *Francicus*, *Vandalicus* and *Africanus*, is evident out of his Edicts. But as for some of them he might justly do it. The *Goths* he subdued having taken *Vitiges* the King, and made great slaughter of that Nation by his two Generals *Belisarius* and *Narjes*; the *Vandals* also he had in a manner quite destroyed in *Africa*, which might confer also upon him the Surname of *Africanus*. But to the Title of *Franciscus*, if we may so say, he had no Title at all, having nowhere given them any except we call that an overthrow, when *Narjes* defeated the *Alemans*, their Clients or Dependents, which was after the Death of *Theodobert*. Of this affront (for no less he accounted it,) he was highly sensible, and though, as *Agathias* judgeth, in all probability he had perished in the attempt, yet left he no Stone unturned to punish *Justinian* for his Arrogance, and had certainly undertaken the expedition, had not Death put an end to him and his designs altogether. But concerning the manner of his Death, there are several relations. *Gregory* writes as if he died of a Consumption, or some other lingering Disease, and that his Physicians made many applications to no purpose. *Agathias* tells us this story, that Hunting on a time in the Woods, a fierce Bull ran with all his force against a Tree, which pushing down, one of the Boughs thereof light upon *Theodobert*, and so wounded him in his Head that he died the very same day of the hurt. In the fourteenth year of his Reign as *Gregory* reckons, or rather his fourteenth being completed, thirty seven years after the Death of his Grandfather *Chlodoneus*, the twentieth of *Justinian* the Emperor, and the fifth of *Totilas* King of Italy, A. D. 546.

Theodobert his
Son succeeds.

38. To *Theodobert* succeeded *Theodobald* his Son, a Child, and under the Government of his Schoolmaster. After the Death of *Totilas* in Italy succeeded *Teias*, who being utterly overthrown, the *Goths* that remained were forced to submit to the Yoke, but presently growing weary of it they sent to *Theodobald*, desiring him to consider their Condition, and how the Tyrant of the world prospering in this his course of destroying Nations, their turn could not be far off, but the old Enmities and Wars would be renewed, such as the *Marii*, *Camilli* and the *Cæsars* had made against the ancient *Germans*, who had also possessed themselves of all beyond the *Rhine*, so that just persons their successours would seem to demand nothing but what was their own. *Theodobald* being utterly unexpert in all things that concerned War, and hating business and labour, was averse to their Proposals, alledging rightly that it was neither Policy nor Piety by such a rash and needless adventure, to cast themselves into manifest Danger. But *Leutharis* and *Butilinus* notwithstanding the inclinations of their King, entered into a League and promised the Ambassadors aid. These were Brothers, *Alemans* by Nation, but of so great authority amongst the *Franks*, that they Governed their Compatriots, being first owned and preferred by *Theodobert*. Now if we give credit to *Athanasius Quadratus*, (saith *Agathias*) an *Italian* born, but one that wrote most accurately the affairs of Germany, these *Alemans* are a strange and mixt People, which their name sufficiently testifies. *Theodorich* King of the *Goths* having now made himself Master of Italy, had subdued them and made them Tributaries. As soon as he was Dead, and the War broke out betwixt *Justinian* and the *Goths*, the *Goths* flattering the *Franks*, and by all means endeavouring to gain their favour, both lost several other places, and were forced to quit the Nation of the *Alemans*; for being to fight not so much for their Dominion as their being it self, they conceived themselves bound to relinquish all their distant and supernumerary Subjects, and square and limit their affections by the Rules of Necessity. The *Alemans* being thus quitted by the *Goths*, *Theodobert* thought it as much his interest to gain them, and so bringing them under, left the Dominion over them and his other Subjects to his Son *Theodobald*. They began now, especially the wiser sort, to be civilized, and in their civil Government conformed themselves much to that of the *Franks*. As to Religion they differed, bestowing on

The Alemans
submit them-
selves to the
French.

Sect. 3.

on Trees, Rivers, Hills and Groves Divine Honours, by cutting off the Heads of Horses and other Creatures, and Sacrificing them to these dumb deities.

39. *Leutharis* then, and *Butilinus*, as we have formerly shewn, with confidence enough invaded Italy, and had such success as was answerable to their rashness and Indiscretion. Before this, *Justinian*, while *Totilas* yet lived, had sent his Ambassador to *Theodebald* to desire he would join with him against the *Goths*, the ancient Enemies of his Nation, but received this answer, that with the *Goths* an alliance was already made, and that if any thing he retained in Italy, it was by consent of *Totilas* and the free surrender of that People; for the Reader must call to mind what we have already hinted, that *Theodebert* had moreover made tributary to him the *Cottian Alpes* with those toward the Sea, and *Liguria* and the maritime Coasts of *Venetia*, without any Right or Title, as the Emperor alledged. With this answer he dismissed the Ambassador, *Leontius*, a man born of a consular House, and sent *Leudardus* unto *Cæsar* under the same Character; and not long after the defeat of *Leutharis* and *Butilinus*, died without issue in the seventh year of his Reign. Some

Theobald dies.

tell us that by his Testament he left his Great Uncle *Chlotharius* his Heir. But *Agathias*, having told his Reader that he died miserably of a Disease which from his very birth had hung upon him, adds that whereas the Law of his Country called *Childebert* and *Chlotharius* his two Uncles to the Succession, a most grievous contention arose about it, which had like to have destroyed the whole Family. *Childebert* was both grown old and very Diseased, so that he appeared a mere Skeleton, and he had no Male Issue, only Daughters. *Chlotharius* was not very old and had four Sons, all full of Spirit and Vigour. He objected therefore that the Estate of *Theodebald* was not to go to his Brother, whose Kingdom in a short time would fall to him and his Sons. Neither did his hopes deceive him, for within a while the old man of his own accord gave up his Inheritance to him, fearing its credible power of the man, and desirous not to have any quarrels with him. And not long after he himself Died, and so the Monarchy of the *Franks* was devolved upon *Chlotharius*.

Childebert dies.

Gregory writes that *Childebert* died of a lingering Disease at *Paris*, where he was buried in the Church of *St. Vincent*, which he himself had built. And that *Chlotharius* seized on his Kingdom and Treasures, driving his two Daughters into Exile, whereof the name of one was *Cratiburga*, and the other *Cratibinda*, as appears from *Aimoinus*. *Childebert* died in the forty ninth year of his Reign, the one and thirtieth of *Justinian*, A. D. 557.

To whom suc-
ceeded Chlothar-
ius Monarch of
the Franks, and
Lord of all Gall.

40. Thus remained *Chlotharius* Monarch of the *Franks*, and Lord of all *Gall*, which had not happened to any of that Nation before him, and shews us that the best things of this world are sometimes granted to the worst of Mortals. Yet was he not contented, but behaved himself in that manner, as if all was his due without acknowledgment of the power and interest of his Benefactor. *Cramnus* one of his Sons was ordained as a scourge against him, whom being a young man very stout and crafty, he had made Governour of *Aquitaine*. He bore himself higher than the quality of a Governour, or indeed that of a King would permit, acting all things like a Tyrant, and taking no other measures than from his own mere Lust and Pleasure. His Father being informed what courses he took, sent for him that he might give him better Counsel, but he instead of coming to his presence, goes to his Uncle *Childebert* at *Paris*, whom he incenses so far against his Father, that they enter into a League to deprive him both of Life and Kingdom. *Cramnus* hereupon goes back to *Aquitaine*, and in his passage endeavours to bring all places to submit to his Commands, his Father being now employed in a War with the *Saxons*, which hindered him from marching against him in Person, but he sent *Cherebert* and *Guntran* two others of his Sons to chastise their rebellious and unnatural Brother. They sent to him to restore what without any Right or Title he had seized, and to gain time he promised he would do it, as some write, or as others, answered that he could not do it, yet professed himself his Father's Subject and Vassal, and desired to keep what he had with his good leave and blessing. They no way satisfied with this answer prepared to fight, and then such an hideous tempest of Thunder and Lightning happened, as diverted them from their Intentions. *Cramnus* then betakes himself to craft. He causes a Rumour to be spread that his Father was slain in the War against the *Saxons*, to which his two Brothers giving credit halted away into *Burgundy*. He followed them, and taking in his way *Cabilonnum* proceeded as far as the Castle of *Divio*. In the mean time his Uncle *Childebert* believing also that his Brother was Dead, led an Army to *Reims* and wasted the Country with Fire and Sword, which done, he Died of a Fever, saith *Aimoinus*, and was Buried at *Paris* by German the Bishop in the Church of *St. Vincent*, of which he himself had been the Founder.

Who makes war
upon the Saxons.

Cabilonnum (hodie Chalon sur Saone)
epidum *Ado-*
vum *Cabilonni-*
um in *Divio* *Ad-*
dorum *Divio-*
nesium in *Gallia*
Belgica.
Reims olim *De-*
roctorum urbs
Gallia Belgica.

Z z 2

41. Chram-

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Invades Britain.

And surprizing his rebel Son burns him.

His Character.

And Death.

The Kingdom divided among his four Sons.

41. *Chramnus* thus deprived of his Uncle's Assistance, betook himself to *Conabur* King of the *Britains* in *Aremorica*, where he presently renewed the War. His Father having made an end with the *Saxons*, concluded he was now by any means to be suppressed, and for that purpose marched himself in the Head of an Army into *Britain*, making his Prayers to Almighty God, that he would be Judge betwixt them, and as formerly to *David* over *Absalom*, so he would please to give to him the Victory over his unnatural Son. This Prayer he made, but not with that Fatherly tenderness which he did, whom he took for his Example. For it pleasing God to give him the Victory, instead of rejoicing for the safety and Preservation of his Son, as we may believe *David* would have done, by the great sorrow he underwent for his Death, he caused him with his Wife and Daughters, (his Labour for whose Preservation caused him to neglect taking ship, and so to be surprized) to be shut up in a poor Cottage, and therein to be burnt to Death. But if we can believe *Gregory*, he shewed abundance of good Nature in his Wars with the *Saxons* lately mentioned. They themselves gave the occasion, rebelling and denying the payment of their accustomed Tributes. But when he was come near their Country, they sent their Messengers to him and offered to pay the Arrears, and what he pleased more, so he would but withdraw his Army and leave them to their wonted repose and quiet. He thought it reasonable, and advised that they should not proceed farther against them, lest they sinned against God; but his Men alleged they were *Lays*, and there was no trust to be given to what they said. Then did the *Saxons* offer the half of their Goods to purchase Peace, which the King willingly would have accepted, and used the same Argument as formerly to his Souldiers: But they would not therein Acquiesce. Then did the poor People offer their Clothes, their Cattel, and all other moveables they had, with half their Lands, so they might have their Wives and Children free, and Peace to live with them. The King then was very earnest with his Men foretelling their Ruine, if they would not rest satisfied with such unreasonable Proposals, and flatly refused to accompany them in the War. Hereupon they fell into a great Mutiny, and running with violence to his Tent tore it in pieces, and loaded him with reproachfull Words; affirming they would kill him, if he refused to go along with them. He was forced to go, but Battel being joyned after an innumerable Company slain on both sides, the *Franks* recovered a mighty overthrow. *Chlotharius* in great trouble then asked Peace, professing that he was drawn into the Action by Constraint. Which having obtained he returned home.

42. So is the story told by *Gregory* and *Aimoinus*, both favourers of the *Franks*, to the advantage of *Chlotharius*, which little suits with the constant Deportment of his whole Life. Twice he committed Parricide: First killing his Nephews, and afterward his own Son, with his innocent Wife and Daughters. Besides Whoredom and Polygamy; of Incest he was guilty, in marrying two Sisters, the one while the other lived, and he frequented her Bed. *Redegund* was his first Wife, who was descended of the Royal Blood of *Thuringia*, as we said before, after her the Wife of his Brother *Clodimir*, and the Wife of his Nephew *Theodobert*. Besides these he married *Ingunda*, by whom he had five Sons. *Gunthar*, *Childerick*, *Charibert*, *Gunthram*, *Sygilbert*, and *Chlothinda* a Daughter. Then when this his Wife recommended her Sister *Aregunda* to him, to provide her a wealthy Husband; he himself fell in Love with her, and took her to Wife, and by her he had *Chilperick*; besides *Chramnus*, by another Woman called *Chunfena*. Having this load upon his Conscience, no wonder, if he was a little sensible thereof, especially when he knew he could not live much longer. He came, as *Gregory* tells us, to *Tours*, where at the Sepulchre of St. *Martin* he earnestly prayed, that his sins might be forgiven. Then went he and hunted in the Forest *Cotia*, where being seized with a Fever he returned to the Village called *Compendium*, where as he lay desperately sick, he uttered these words: *Woe is me, what think you? What kind of heavenly King is he, that kills so great Kings in this manner?* which expression *Papirius Massonius* so interprets, that being a despiser of God, and impious all his Life, he could not die otherwise, but with his last Breath accused him as grudging Life to mortal Men. Yet he died not till the one and fiftieth Year of his Reign: Or rather, that completed, and was buried by his four Sons at *Soissons*, in the Church dedicated to St. *Medard* of his own founding, in the thirty fourth Year of *Justinian*, the nineteenth after, the Consulship of *Bassilius*, A. D. 560.

43. For four Sons he left to succeed him and no more, *Gunthar*, *Chramn* and *Childerick* being dead before him. *Cherebert* Reigned at *Paris*, *Chilperick* at *Soissons*, *Gunthram* at *Orleans*, and *Sigebert* at *Metz*, over the *Mediomatrices*. But this division

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Aimoinus Parisiis Gregorius secus Theodorus offervatus scribit in villa Brannaco. Aimoinus. l. 3.

Reginald. 1. 1. Chramnes. 6. 1. 1. Cramnes. in fine veris 5. De-functis.

Blavia (hodie Blais) oppidum Santonum ad Savannam martium Affluviom Gallia in Celtica.

Cherebert dyes.

His Character.

His three Brothers succeed him.

Guntram flethly given.

sion was not made before some Quarrelling betwixt the two Brothers, for *Chilperick* was before-hand with them, and seizing his Father's Treasures, which lay at *Paris*, therewith hired Souldiers, and began to usurp upon them all. But they timely gathered together, and forced him to quit his pretensions, and come to an equal division of the Kingdom by Lot, which fell out as we have observed. *Cherebert*, (or *Charibert*) married *Ingoburga* a very devout Woman; who having two Maids called, *Marconeja* and *Merofidis*, he fell so desperately in Love with them, that he rejected their Lady. For this *German*, the Bishop of the place, severely rebuked him, and as some say, communicated him, but he remained incorrigible, and therefore by the just Judgment of God both of them were speedily taken away, with a Son he had by one of them; and himself not long after dyed at a Castle called *Blavia* in *Aquitaine*, and was buried in the Church of St. *Romain*. *Gregory* mentions another Wife he had, *Theodogildis* by Name, the Daughter of an Herdsman, as the other two were descended from a Cottage, who after his Death sent to his Brother *Gunthram*, offering her self to him in Marriage with all her Treasures. He seemed to comply with her offer, and receiving the Treasures thrust her into a Monastery at *Ailes*, were tired quickly with the Austerities of that sort of Life, the sent privily to the *Gothick* King of *Spain*, making the same offer, she had done to *Gunthram*; but the Abbess surprized her as she was going out of the Monastery, and causing her to be soundly beaten committed her to close Custody, where in great Trouble, she spent all her Wearisome days. This is the Account we have from *Gregory* and *Aimoinus*, concerning *Cherebert* King of *Paris*, which shews him Guilty of one of his Father's vices, although otherwise, as appears from other Writers, he excelled in Virtue, both him and all his Predecessours. Amongst many other things worthy of Memory, he is celebrated for his kindness towards *Fuldrogoba* the Wife, and his two Cousin Germans, the Daughters of *Childerbert*, whom he very much esteemed, though not only outed of their Inheritance, but banished by his Father. He is farther said to have hated War and Contention, and to have been a great lover of Peace, Justice and good Letters. For he was the first of those Kings that understood Latin, his Father, Grandfather all before him, having only spoken the *Sicambrian Dialect*, as appears from *Venantius Fortunatus*. Lik 6.

44. And as they made themselves the Heirs of his Kingdom, so of his virtuous Course of Life, for all were Inheritours of their Father's intemperance; two of those that survived especially. *Gunthram* (or *Guntrann*) had four Sons by divers Concubines; the Names of which, we are of *Aimoinus* his mind, that it is not worth the while to mention, being such like as they were, and all dying with their Issue before him. Yet this vice excepted, he is otherwise reported to have been a very good Man, a Prince both very just and upright, and of him this very strange story is related. Being on a time hunting in the Woods, and his followers dispersed here and there, as the manner is, with one of his most trusty Servants, he sat down under a Tree, and leaning his Head in his Companion's Bosom fell asleep. As thus he slept, a certain Animal crept out of his Mouth, and made toward the Bank of a Rivulet adjoining, as if it would go over, which his Servant perceiving, he drew his Sword and laid it a cross the Brook as a Bridge for it to pass, which accepting it went over upon it, and entering at the Foot of a certain Mountain after some hours stay, returned by the same Bridge into the Mouth of the King. Hereupon he presently awaked, and told to his Companion a strange Dream he had had; as that he beheld a vast River, over which lay an Iron Bridge, which having passed, he entred into a certain Cave at the bottom of a Mountain, wherein he beheld inestimable Treasures, the hidden *Gaza* of the ancient Fathers. Then the other tells him, what he had seen come out of his Mouth, and it's agreed that the Mountain be searched, wherein just as he said a Cave was found, and therein an unspeakable quantity of Gold and Silver, out of which the King at first intended to send a very rich Vessel to *Jerusalem* to our Saviour's Sepulchre; but considering the difficulty of the Journey, and how the *Savacens* infested those Coasts, he changed his mind, and bestowed the Present on the Church of *Cabolo*, which he had caused to be built over the Sepulchre of St. *Marcellus*, and as long as the Tomb of the Martyr continued in *Gall*, nothing for Workmanship could be found that was comparable to it. This Dream of *Guntram* hath been much written and spoken of in later times. *Marius* tells us, that it's at this day to be seen (he wrote but in the Year, 1635.) engraven on a Marble in a very ancient Nunnery, in a Town called

Chron. Belg. ad A. D. 594. Decimo militari a Vefimione.

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called *Palme* ten miles distant from *Besancion*, an imperial City situate in the middle of the County of *Burgundy*. Some that think it not altogether impossible, for the rational Soul to be separated from a Man's body, and yet the Body live, a certain kind of Life flowing from that Temperature into which a spiritual substance can have no Energy or natural influence, do much concern themselves about the Creature that went in and out at the King's mouth.

45. But, to our business. *Sigebert* knowing, that as to the matter of Women all his Brothers were much blamed, resolved not to split his Reputation upon the same Rock, and therefore sent into *Spain* to *Athanagild* (or *Athanabild*) King of the *Goths*, to ask his Daughter *Bruna*, or *Brunia*, in Marriage. Having received her with a very rich Portion; for that she was an *Arian*, he caused her to be Christened, faith *Gregory*, or baptized faith *Aimoinus*, and the later adds, that causing her to be instructed in the Catholic faith, he changed her Name from *Bruna* to *Brunechild*; whereas the other calls her *Brunebild* at first, making no mention of any change of Name. The noise of this Match being spread abroad, and, as in such Cases is usual, the fame of the Ladies worth being very great, *Chilperick* the other Brother who was already provided of a great number of Women, sent into *Spain* to procure her elder Sister, promising that if he could be so happy as to enjoy her, he would dismiss all his other Wives. *Atavafild* believing him, sent his Daughter to him, *Galfonta* by Name, with a great deal of Treasure, and his Ambassadors at the delivery of her demanded of *Chilperick* an Oath, that he would never put her from the Dignity of Queen. He readily gave it, but being of a very fickle and inconstant Humour, *Fredegund* one of his former Wives, again wound her self into his Favour, and prevailed to be once more restored to his Bed. Having got to great an opportunity of working her ends, she ceased not to improve it, and knowing the had got fast hold of him, carried her self as Queen, and put all affronts imaginable upon *Galfonta*. She poor Lady hereupon makes her Complaints, and for a time is put off with good Words; but at length, the difference increasing, at the Infatigation of her Strumper, he, who had been taken by an Enemy, was in Honour engaged to have redeemed her with his Sword, nay if the Case had so required, with his very Life, as *Aimoinus* observes, was not ashamed, when she thought nothing less, in their common Bed to cause her to be strangled; a Villany unknown to a Tyrant, a Frank, and much more to a King, in such a manner to violate the Dignity of Marriage. His Brothers were enraged at the Fact, and thinking themselves highly obliged to punish it, agreed together to deprive him of his Kingdom. And that the thing took not, *Chilperick* was not so much beholding to his own Policy, as the flightiness of the Council, and Advice upon which the Design it self was founded.

46. But, to leave the wiving of those Kings, and come to something more fit for them to Practise, and us to Write, not long after the Death of *Chlotharius* their Father; the *Hunnes* resolved to invade *Gall* out of *Pannonia*, with intention there to Plant themselves, as *Attila* long before them had attempted. *Sigebert* having notice of their Motions and delighting in War, for which Nature had very well qualified him, determined to pass the *Rhine*, and if they still proceeded to give them Battle in the farthest parts of *Thuringia*, which was then subject unto his own Jurisdiction. At the River *Albis* they met and fought, where *Sigebert* remained Victour over a most fierce Nation, having slain many thousands of them in the place; and returning home, expected thanks from his Brothers, as the common Protectour of all their Dominions. But on the contrary he found, what in the least he never could have expected. *Chilperick* in his absence had fallen upon his Towns, and amongst others, had made himself Master of *Reims*, so that his Sword which was not yet fully dry, he must again bathe in the Blood of his Countrymen and Relations. *Suessio* or *Soissons*, the ordinary residence of his Brother, then he takes by Force, and therein *Theodebert* his Son whom he sent to safe Custody, then engaging in Battle with him himself, he routs his Army, puts him to flight, and immediately recovers what was his own before his expedition. Having done thus much, he was so good Natur'd, as to make a Peace with him, and not only restored him his Son, whom he sent away with great Gifts, but the City of *Soissons* also; and then being at his ease, he sent *Goga* the *Major Domus*, or his principal Minister into *Spain* to fetch *Brunechild*, which he did to his sorrow, as the event proved. For after she came to have once an Interest with the King her Husband, she alienated his mind from him by degrees, and at last persuaded him to put him to Death; from which Act proceeded such Effusion of Noble, yea also of Royal Blood amongst the *Franks*, and such slaughters were made, that in *Sibylla* her

Galfonta at W.
lala & *Gulfon*
tha.

Albia, *Prudens*
A. B. C. Germa-
nia Celesterrima
fluvius Germanis
Elbe, Robert
veris, apud quos
Originem fandi,
Lab. Elbe &
Elbe Germanis
undecim signifi-
cat, aique ut An-
nos in Albia influ-
unt unde nomen
fortius est ut
aliqui autumant.

Prophecy

CHAP. I. Contemporary with the Const. Roman Empire.

{ *Chilperick*;
Guntram
Sigebert.

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Prophecy they now accounted to be fulfilled, which foretold, that *Bruna* should come from the parts of *Spain*, before whose Face the Nations, or rather, the Kings of the Nations, should perish; but the her self should be kicked to death by *Horfes*.

47. In the mean time the *Saxons* being Neighbours to *Thuringia*, did much mischief to that Province, so that *Sigebert* was obliged to send one *Lopus*, an industrious Man, and a very good Souldier, to reduce them to reason, which not being able to doe without blows, he fell upon them, and on the Bank of the River *Bordaba*, cut in pieces many thousands of them, besides multitudes that were drowned in the River. Yet notwithstanding this People would not contain it self within its own bounds, but playing again the ill Neighbour, *Sigebert* himself, with a complete Army, marched against them, and sending away his *Horfe*, fought on foot at the Head of his Men, which so animated them, that they got another notable Victory. At this Battle was present one *Conda*, now very Aged, but formerly an excellent Souldier, who lost two Sons in the Fight, young Men of very great valour. *Theoderich*, the Son of *Clodomeus*, in consideration of his worth, first made him a Colonel; then *Theoderich* having more experience of Conduct, gave him the place of Great Master of his Household, and after his Death he was, in a manner, Tutor to *Theodobald*, during his Minority. Afterward he served *Chlotharius* in the same capacity, he had one *Theodebert*, who did nothing of moment without him, and at last, having outlived so many Kings, he was so dear to *Sigebert*, that he, and he alone, fate with him at his Table, than which, amongst the *Franks*, a greater Honour could not be conferred on a Subject. On the Death of his Sons *Venantius Fortunatus* wrote an Elegant Poem, from which we have this Account of the Battle, and the Fortune of this excellent Captain, which otherwise had been buried in eternal oblivion. *Gregory* and *Aimoinus* writing of the Wars against the *Saxons*, speak nothing of this *Conda*, but great things of *Mummolus*, who obtained several notable Victories over them, and the *Lombards*, which the Reader may find in the History of this People, who at several times and under conduct of several Captains invaded *Gall*.

48. Not long after the finishing of these Wars with the *Saxons* and *Lombards*, the Brothers fell at odds amongst themselves, the quarrel beginning betwixt *Sigebert* and *Chilperick*, whose Son *Clodomeus* seized upon *Burdigala*, but was thence expelled by one *Sigisfus*, who concerned himself in behalf of *Sigebert*. In the mean time a difference also arose betwixt *Sigebert* and *Guntram*, who assembled all his Bishops together at *Paris*, to determine the Controversie, but the Civil War being to grow into greater flames they refused to stand to their determination, so great were their fims, as *Gregory* observeth. *Chilperick* after this fruitless Mediation was so far incensed, as to send *Theodebert* his eldest Son, who had, when a Prisoner, given his Oath never more to fight against his Uncle, to invade the Countries of the *Turoni*, *Pitavi*, and all the other places beyond *Ligeris*, which having formerly been part of the Inheritance of *Cheribert*, had fallen to *Sigebert*. At *Pitavi* or *Poitiers* he gave Battle to *Gundobald*, who endeavoured to put a stop to his Carriere, and gave him a notable overthrow, with which success animated, he wasted with Fire and Sword the greatest part of the Countrey about *Tours*, and if they had not yielded themselves in time, had utterly destroyed them. Thence he removed to the *Lemonices*, and *Cadurci*, the Territories of whom he invaded, wasted, destroyed, burnt their Churches, caused their Service to cease, killed their Clerks, demolished the Monasteries of Men, deluded the Women, overturned all things, so that in the Opinion of *Gregory*, the groans of these Churches were greater than they had been in the very days of *Diocletian*. *Sigebert*, as he had some reason, being moved with these violent Courses of his perfidious Nephew, sent and raised Forces beyond the *Rhine*, out of *Thuringia*, and the neighbouring Nations, which making up a great Army, he led them against *Chilperick*, who fearing that his Brother *Guntram*, had deserted him, because overcome by the Threats of *Sigebert* he had let his Forces pass the readiest way through his Countrey, desired Peace, which being granted, he capitulated that the places his Son had wasted, might not be called to account, having done nothing but what they were constrained to doe by Acts of such a violent and terrifying Nature.

49. By Virtue of the Accord, he was to give up all that *Theodebert* had lately Conquered, which done, the Army of *Sigebert* was to disband and march away. But being strangers, and having no other motive to the Service, but the desire of pay and Booty, they resolved, seeing their time was to be so short, to make the

best

Sigebert Marries
Bruna the King
of *Spain* Daugh-
ter.

Chilperick Mar-
ries her Sister.

But strangles
her in Bed.

The *Hunnes*
overthrown in
Battle.

Venantius Forti-
natus, l. 7.

Burdigala, bestie
Bordeaux, appi-
dum *Bitergon*
Vibellum, de
qua consule *Sice-
rum* in *appendice
ad* *Historiarum*
Gallia. *Bourges*
Celtici, *distis*
duabus *sua* *gentis*
Colonia in *Aqui-*
taniam, altera
Bourges, *Vibella-*
rum altera, *tunc*
attribuerant, *a-*
gram *Burdiga-*
lensem, *ibi* *Tar-*
bellacum. *Ut*
inquit *Athenas*
in *Geographia*
Gallia.

Civil Wars a-
mong the Bre-
thren Kings of
France.

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left use of it they could; and therefore rifled all the Towns about *Paris*, and so returned, being nothing pleased with *Sigebert* for his so short Entertainment, who overpowered some with good Words, and others with harsh Deeds, causing several Munitioners to be stoned. Now all differences were composed betwixt the Brothers, and nothing was expected but a perpetual Amity, and a good Correspondence not to be infringed. But see the natural Disposition of these *Franks*: *Chilperick* the Year after raises Forces, and again makes Excursions into the Dominions of *Sigebert*, making waste of all things he light upon as formerly, which obliged his Brother to recall the Army, he had lately remitted into *Germany*. He himself marches toward *Paris*, and sends Orders to his Subjects living about *Tours* and other places, to make head against *Theodobert*, who having no mind to the Employment; he sent *Godegisilus* and *Guntram*, two of his Officers against him. Upon their appearance in the Field most of his Men deserted him, yet would he with a few, in Comparison, give them Battle, and being slain was carried by *Arnulfus* to the City of *Engolisma* and there buried. *Chilperick* upon the approach of *Sigebert*, when he heard that his Brother *Guntram* had made his Peace with him fled, to *Tournay*, with his Wife and Children, and therein fortified himself. *Sigebert* took all Towns on this side *Paris*, and came as far as *Rothomagus* or *Rowen*, whence returning to *Paris* again, thither came to him his Wife *Brunchildis* with her Children.

plda Venio Casorum in Gallia Celica.

50. Now did these *Franks*, who had formerly been subject to *Childebert* the Elder, send to him, offering to renounce the Title of *Chilperick*, and to put themselves under his Government. Incouraged by this Address, he sent a Party to besiege his Brother in *Tournay*, resolving himself to follow with a greater force. At a certain Village called *Vitigiacum*, his Army came to a Rendezvous, and here setting him upon a Target, (according to the custome of these Northern Nations, for so *Vitigis* was by the *Goths* inaugurated) they saluted him first King of *Paris*. Thus far all things tended to his wish; but the Fortune of the greatest Monarchs is very instable. Two young men corrupted with gold by *Fredegundis*, the Wife or Strumpet of *Chilperick*, while he prides himself in his new Title, and receives the congratulations of his Officers, even in the midst of the Army, with poisoned Knives, in those days called *Scramasaxi*, set upon him on each side, and wounded him so, that he died speedily in the place, in the fortieth Year of his Age, and the fourteenth of his Reign. *Chilperick* having received the News, came out of *Tournay*, and buried him at a Village, called *Lambrus*, near *Doway*, whence he was afterward removed to *Soissons*, to the Church of *St. Medard*, which being founded by *Chlotharius*, his Father, had been finished and beautified by himself. *Chilperick* thus, by the wickedness of other Men, being saved from imminent Ruine, from *Tournay* went straight to *Paris*, where finding *Brunchildis*, and her two young Daughters, he banished the Mother to *Rowen*, and the Daughters to *Meldi*, a Town lying upon, or rather a People living near, the River *Matrona*; as for *Childebert*, the Son of *Sigebert*, *Gundebald*, his most faithful Friend, had beforehand with the same all secrecy imaginable conveyed him unto *Metz*. *Chilperick* by *Andonera*, his first Wife, had three Sons, *Theodobert*, *Meroneus* and *Clodonaus*. *Meroneus* he sent against the People living about *Tours*, being the Subjects of his Brother *Guntram*; but coming to that City under pretence of going to visit his own Mother, who lived banished amongst the *Cenomani*, he went to *Rowen*, and there he married *Brunchildis*.

King Sigebert flabbed.

Is succeeded by Childebert his Son.

lici Sequanum inter et Maronem fluvios, Les Brins Celtiques, aut cur de Meuse, et de l'el de la R. de Rhine. Alii sunt Meldi, Martini aque Belgici, ut Strabo dicitur, et, et Celer ipse indicat cum scribit, sui p. fabricatis Naves in Melde, ad subvencendo exercitus in Britanniam.
Chilperick ut Venantius tradit, l. 9. potentem et validum adjuvorem fuit. Abesse iterum C., quod in aliis nominibus, Scalligero monente, fieri debet, est Hilperich, Hilpe Anglis etiamnum Helpe auxilium, Richi dicitur et potent.

Hilperick potens si interpretetur Barbarus extitit, Adjutor fortis hoc quoque nomen habet.

51. *Chilperick* was enraged upon hearing thereof, fearing the Craft and Wit of the Woman, who he knew would never be reconciled to him, nor his Wife *Fredegundis*, but would work his Son to her own Will, and thrust him on to dangerous attempts against his Family. He goes down therefore with some Forces to *Rowen*. They take Sanctuary in a Church of *St. Martin*, whence they refuse to depart, till he had given his Oath, not onely for the immunity of their Persons, but of their Marriage also. The Accord is made, and being come out of the Church, he feasts them for two days together, but then takes away his Son, not at all regarding

Sect. 3.

ding his Oath. As he returns, News is brought, that those about *Campania* and *Reims*, had risen up in Arms, and taken from him the City of *Soissons*, which raised in him such Indignation, that speedily increasing his Forces by new Levies, he goes against them, overthrows them in Battle, and retaking *Soissons*, puts many of the Nobility to death. Then sends he his Son *Clodonaus* against the People inhabiting about *Tours*, joining with him, as his Coufeller and Assistent, one *Defidius*. Against them battle, got the better, killing, *Aimoinus* faith, no less than fifty thousand of their Men, with the loss of twenty thousand of his own followers, though *Gregory* mentions but twenty four thousand on the one side, and five thousand on the other. This put *Chilperick* much out of humour, and *Fredegundis*, his Wife, observing it, thought it a fit time to turn his Rage and Displeasure upon *Meroneus* his Son, whom the accused of Treachery, and abetting the Interest of *Brunchildis*. At her instigation he is shaven, and being thrust into a Monastery in an Island called *Anisula*, near to the *Cenomani*, there it is commanded that he be ordained Priest. But by the persuasion of one *Guntram*, a Count, he makes his escape thence and reassuming the Habit of a Lay-person, comes to *Tours*, and takes Sanctuary in the Church of *St. Martin*, where *Gregory* the Bishop, our Historian, refused to give him the Communion, till he threatened to cause a Massacre of the People thereabout to be made. He continued here for some time, to the great regret of his Father, and *Fredegundis* his Step-Mother, who used all means possible to intrap him. Being by her Wiles drawn out of this Church, with intention to be slain, though he escaped the danger, at length, after he had had recourse to *Brunchildis*, but was rejected, he was circumvented by the People called *Tarabamenses*, who pretending they would revolt to him from his Father, he used all speed imaginable to put himself into their Hands. But having him once in their Power, they sent his Father notice, who used all expedition to come at him, which he dreading, and expecting to be cruelly handled, he prevailed with one *Gailenus*, his follower, to kill him, which he did with a Knife, run into his side. The King coming after he expired, the caused *Gailenus* to be tortured to death, with several others of his attendants. The Report went, that this Train was laid for this unfortunate young Man by *Guntram* Bogo, who was very dear to *Fredegundis*, because he had slain *Theodobert*, another Son of *Chilperick*, and by *Agidius* a Bishop, who had been a long time very familiar with her.

Childebert courted by his Uncle.

52. *Childebert* all this while reigned in the room of *Sigebert* his Father, a Child of scarcely five years old when the Succession was devolved upon him. By the procurement of *Gundebald* his faithful Friend, the Estates resolved to stick close to him, rejecting all Proposals which could be made by *Chilperick* his Uncle, who seeing that he had escaped his Hands, and that his Subjects were not to be moved from their Fidelity, made a Virtue of Necessity, pretended great kindness, and at his demand released *Brunchildis* his Mother, and sent her to him. *Guntram*, his other Uncle, seemed more serious and sincere in his pretensions, who having lost all his Children, after that grief would give him leave to consider the state of his Affairs, cast his Eye upon this his young Kinsman, as him whom both Nature and Providence designed for his Heir, and therefore he sent to him, offering him all kindness, and desiring that he would do him the favour to see him. Those about the youth weighing all circumstances, were of opinion, that considering he had no Children of his own, he could have no Plot upon him, and so they came to an Interview, at a Bridge called *Petreeu*, where there wanted no expressions, nor other signs, of Joy and Affection. After long Embraces, *Guntram* told him, that seeing that those who proceeded from the Loins of others were to inherit his Territories, and his Treasures, he thought none so fit as himself, his Nephew, whom he now adopted for his Son, desiring that such affection might grow betwixt them, as be adopted for his Son, desiring that such affection might grow betwixt them, and one and the same came so near a Relation, that one Buckler might protect them, and the same Lance defend them against their Enemies. In case it should so happen, that he should have Children, he promised he would look upon him as his Son, and have the same kindness ever for him as he had at present, expecting the like from him, which his Nobility promised in his behalf. After this they dined lovingly together, and making each other rich Presents, parted asunder, having agreed upon a joint Embassy to *Chilperick*, to require that he would restore such parcels of their

A a a

Dominions

Sect. 2. Dominions as he had got into his Hands, or otherwise to expect and prepare for War. *Chilperick* fled the Message, spending his time in making Cirques both at *Soissons* and *Paris*, for entertaining with Shews the People of those parts.

53. About this time happened some stir in *Britain*, upon this occasion. *Maclianus* and *Bodiccus*, both Counts of that Country, had by Oath covenanted betwixt themselves, that whosoever was the longer liver, should patronize and defend the Sons of the other, no otherwise than his own Children. It happens that *Bodiccus* dies first, and leaves behind him a Son, named *Theodorick*, whom *Maclianus* treats so contrary to his Oath, that he outs him of his Inheritance, and lays it to his own Demains. *Theodorick* thus abused, wanders a long time up and down in a desolate condition; but at last the *Britains* took pity on him, and fell with such violence upon the Usurper, that they kill him, together with *Jacob* his Son, and settle *Theodorick* in what was left him by his Father, *Warochus*, another Son of *Maclianus*, stoutly making good his own Inheritance. In the mean time *Chilperick* bufiles himself with *Prætextatus* the Bishop of *Rouen*, whom accusing of having conspired with his Son *Meroneus* against him, he brings him to his Tryal before a Synod of Bishops. *Prætextatus* denied all that was objected. The Bishops either flattered the King, or at least held their peace, only *Gregory of Tours*, the Historian, as he himself tells us, stood to the truth, and for so doing came into trouble, but he told the King his own freely. *Chilperick* seeing he could not prevail, but that the Bishop justified himself sufficiently, set some upon him, who persuaded him that an end might speedily be put to his troubles, and he might not in vain contest with the King, to confess himself guilty, which he did, casting himself at his feet, acknowledging that he endeavoured to depose him, and settle his Son (whose God-father he was) in his Throne. *Chilperick* most unworthily takes advantage at this confession, and falling at the Feet of the Bishops, demands Justice against him, and afterward sends them a Book of Canons, wherein this was contained, *That a Bishop being taken in Murder, Adultery, or Perjury, should be deposed.* He required that either his Coat or Rochet might be torn in pieces, or that the hundred and eighth Psalm, containing the Curies of *Isacar*, might be read over his Head, or that they would proceed to excommunication. The Bishop of *Tours* withstood all these demands, urging the Canons, against which the King had promised that he would act nothing. But *Prætextatus* was taken from them, and committed to Prison, whence endeavouring to make his Escape, he was grievously beaten, and sent into an Island of the Sea, near adjacent to the City *Constantina*. This happened a little before the death of *Meroneus*.

Heavy Taxes
imposed on the
Subjects of
France.

Then followed
a Plague.

54. Not long after *Samson*, the youngest Son of *Chilperick*, died of the Dyfentery, joyed with a Fever. He was born then when *Chilperick* was besieged in *Tourney* by his Brother, and *Fredegundis* being in great apprehension of death, neglected the Infant, as soon as it was born, and in a desperate humour would have suffered it to perish, but he reviled her for her neglect, and commanded it to be baptized, after which it scarcely lived four years. *Fredegundis* also her self was at this time very sick, but recovered, to the ruin almost of her Husband's Family, through her implacable Malice against his Sons. He, though his Charge and Care by the death of his Children might have been lessened, yet grew more covetous than ever, at the instigation of his Wife, laying such heavy Taxes upon his People, that many of them made the best of what they had, and departed out of his Dominions. The *Lemovices* made an Insurrection, had slain (*Aimoinus* saith they did slay) *Mark* the Collectour, but that he was rescued by the Bishop; and burnt all the Books and Papers they could come by, that concerned the Tax. To suppress this Rebellion, the King sent certain of his Officers, with competent Forces, who punished the Rioters with great severity, and Churchmen, amongst others, whom the Courtiers, as *Gregory* tells us, falsely accused; which done, more heavy Impositions were laid upon the Country. Not long after, viz. in the fifth year of *Childebert*, which was the nineteenth of *Chilperick* and *Gunttram*, several Prodiges appeared, and were followed by a violent Disease, which raged all over *Gall*, being that which Physicians call *Cholera Morbus*. The Parties were taken with a Dyfentery and Vomiting, which were accompanied with a great pain in their Reins, and in their Heads or Necks. That they vomited was yellow or green, and many thought they were poisoned, it's certain that such Herbs as are accounted to resist Poison, did

Lemovices five
Lemovici, *hodie*
Lemovici, *hodie*
Lemovici, *hodie*
Lemovici, *hodie*

did relieve most that made use of them. Beginning in *August*, it first destroyed a multitude of Children, and then invaded those of riper years. *Chilperick* himself was brought very low with it, and when he recovered, his youngest Son, as yet not baptized, fell sick, whom when they saw in danger, they caused to be chrism'd. When he grew something better, his Brother *Chlodobert* was seized with the Disease, whom his Mother *Fredegundis* perceiving in danger of death, began to confide, and entertain more serious thoughts than formerly.

55. In this good fit, which was not like long to continue, she became a Preacher of Mercy to the King her Husband, the desired him to confide in what danger they were to be bereaved of their Children, and affirmed that the Cries and Tears of Orphans and Widows pulled down these Judgments upon their Heads; therefore she besought him that he would no more burthen his People, but commit to the Fire the Books of the late Tax, which he did with his own hands. Not long after this their youngest Son died, whom from the Village *Brennacus* they conveyed to *Paris*, and caused to be buried in the Church of *St. Denis*, *Chlodobert*, their other Son, being very weak, they carried in a Litter to the Church of *St. Medard* in *Soissons*, and laying him at the Sepulchre of the Saint, made Vows for his Recovery; but he died at midnight of a Consumption, and was buried in the Church of *St. Crispin* and *Crispian*, Martyrs, the whole City being in deep mourning, as for their nearest Relations. Of this Disease also died *Austrigildis*, the Wife of King *Gunttram*, so wicked at her death, that unwilling to die alone, she procured two of her Physicians to be sent after her, through her false Accusations. *Chilperick*, by the loss of his Children, was grown very charitable, giving much to the poor, and liberally endowing many Churches. Yet the bewitching words of his Wife *Fredegundis* made him forget natural Affection it self; for whereas he had but one Son remaining, *Chlodonauus* by Name, the caused him to be sent to *Brennacus*, a place, as she thought, infected, for there her own Children had yielded to Nature. Here, as he lay, he let slip some foolish words concerning his future greatness, (for he thought he had reason to expect to be King) and the punishment he would inflict upon his Enemies. The report hereof being brought to her Ears, she was filled with Rage and Jealousie, and accused him of very wicked Designs unto his Father, who was so uxorious and unnatural, as to give him up into her Hands. Within a while she caused him to be stabbed with a Knife, and gave out, that he had killed himself, which his miserable Father easily believed, and rejoiced in his destruction. His Mother was put to a cruel Death, his Sister condemned to a Monastery, and all their Estates were seized to the use of the Queen, who caused a young Woman, with whom *Chlodonauus* was said to be in Love, to be burned alive, and others that favoured his Cause, with various torments to be destroyed.

The Britains
invade Gall.

56. During these Domestick Miseries, which if he could have understood it, happened to *Chilperick*, the *Britains*, under conduct of *Warochus*, their Count, invaded his Dominions with Fire and Sword, against whom some opposition was made, but only with this Effect, that exasperated them the more, and made them commit great outrages in their Incursions. He attempted also something against his Nephew *Childebert*, though to no purpose, whose Officers had both honesty and ability faithfully and successfully to serve him. Betwixt his Brother *Gunttram* and him, there was no good Intelligence, and it happening that *Mirothe*, King of *Gallicia*, who there reigned over the *Saevi*, sending his Ambassadors to *Gunttram*, he intercepted at *Poidiers*, and caused them to be conveyed to *Paris*, where he clapt them in Prison, and dismissed them not till after a whole years duration. With *Levigildus* the King of *Spain*, he seems now to have been at Peace, notwithstanding the just offence given to the Nation of the *Goths* in the matter of *Galsuintba*; for that King sent his Ambassadour to him, *Egilanus* by name, with whom, being at present a violent Arian, though afterward in his misery he recanted, *Gregory* our Historian had a disputation, which *verbatim* he has published in his Book. Not long after the Ambassadors, which *Chilperick* had sent to *Tiberius* the Emperour, returned, after three years spent in their Employment, and after so much labour and toil, were shipwreckt in the Haven. For not daring to put into the Port of *Marseilles*, by reason of the Diffentions risen amongst the *French* Kings, they made for that of *Agathe*, a Town belonging to the *Goths*, and before they could land, their Ship was by a Tempest driven, and striking upon ground was broken to pieces. The Ambassadors, and most of their followers, yet escaped upon Boards safe to land, and most of their baggage was saved, though, as usually happens

Sec. 3. happens in wrecks, that the adjoining Inhabitants, instead of relieving those in distress, rob them of what the fury of the Waves hath spared, the Townsmen pilfered all they could. *Gregory* the Bishop tells us, he then waited upon the King at *Novigentum*, where he shewed him a Jewel he had, made up of Gold and precious Stones, weighing fifty pounds, for the adorning and ennobling the Nation of the *Franks*, as he said, adding, that if he lived, he would do more in that kind. He shewed him also certain *Aurei*, sent him by the Emperor; whereof each weighed a pound, being stamped with the Emperor's Image, encircled with this Inscription, *Tiberii Constantini Perpetui Augusti*: and having on the reverse a Chariot with four Horses, and a Driver, with these words, *Gloria Romanorum*. Besides many other things the Ambassadors had brought him.

Civil Wars again
amongst the
Kings.

57. Mention being here made of the Dissentions of the Kings, we are told by our Author, that while the King lay still in this Village of *Novigentum*, or Saint *Clou*, Ambassadors came to him from his Nephew *Childebert*, making offers of Peace and a strict Alliance, by virtue of which they were to out *Guntram* of his Kingdom, and part it betwixt them. *Chilperick* was very glad of the overture, being very desirous to beget an ill Understanding betwixt his Brother and Nephew, and soothing them with good Words and large Promises, of making *Childebert* his Heir, (inasmuch as he had not now any Sons left him,) dismissed them with very great rewards. The cause of the Quarrel betwixt *Childebert* and *Guntram*, it seems, was this: *Guntram*, after his Brother's death, had given part of *Marfeilles* to his Son *Childebert*, but now thought fit to deprive him of it, which the young man much stomaching, first strengthened himself by this New Alliance, and then sent to him, requiring he might be put into Possession of what was his own, else he lets him know the keeping of this inconsiderable thing should cost him the loosing of far greater matters. *Guntram* however refuses to put him in Possession, and aware of some force to be attempted, secures all the Avenues of his Kingdom. *Chilperick* takes his opportunity at these their Dissentions, and sends *Desiderius* with an Army into the Territories of *Guntram*, who takes *Petrogricum*, *Aginum*, and all other Towns in those Quarters of *Aquitaine*.

Metropolis Vellona, Ella anni impetrat Perigore.
Ripon, supra istius ex Oldi fluminis confluencem.

† *Aginum, hodie Agen, Metropolis Vulcanarum Nitibrigum, ad decuram Garonne*

Several Prodiges.

58. The following Year, which was the seventh of *Childebert*, and the one and twentieth of his two Uncles, in the Month of *January*, there was great Thunder and Lightning, Flowers appeared upon Trees, and a Comet appeared, encircled, as it were, with Darknefs, having a terrible Tail. On *Easter-day*, at *Soissons*, the Heavens seemed to burn. Not far from *Paris* it rained Blood, and so stained the Clothes of many, that it could not be got out. These Prodiges were followed by a grievous Contagion, which swept away multitudes of People, dying suddenly, as soon as the *Bubo* appeared on their Groins. This same Year, wherein also *Theobert* the Emperor died, had *Chilperick* another Son born, after so many he had lost, which so affected him, that he commanded the Prisons to be set open, and forgave many Debts owing to his Exchequer. His Son he would have baptized at *Paris*, whither he went on *Easter-Eve*, and because by the common Agreement of the Kings, a Curse was laid upon him that should come into that City without the Knowledge and Consent of the rest, to avoid the Curse he was so cunning, as to have several Reliques of Saints to be carried before him at his Entry. All this while the difference about *Marfeilles* continued betwixt *Guntram* and his Nephew, who now again sent his Ambassadors to *Chilperick*, with offers of entering into a more strict Alliance, and desires to join with him in an Invasion of *Guntram's* Dominions, to force him to reason with dint of Sword. The Agreement being confirmed on both sides by Oath, *Chilperick* being of himself sufficiently inclined to the War, presently raised an Army, and marched to *Paris*, where having done much harm to the Inhabitants, he entered his Brother's Territories, and wasted all where he came with Fire and Sword. Some of his Officers he sent to take an Oath of Fidelity from the *Biturices*, who refusing to break their Faith, gave Battle to *Desiderius* his Captain, and so great slaughter was made, that of both Armies perished more than seven thousand. But it seems the *Biturices* had the worst, for *Chilperick* his Men proceeded toward their *Metropolis*, and made such havock and destruction of all things, as, if we can believe an Historian, and a Bishop, the like was never heard of in former times, not so much as an House, nor a Vine, nor any other Tree, being

* *Petrogrici sunt
facti anglice Pe-
grula Leo Peri-
gordiens, genum*

being left standing, and as great Indignities being offered to all hallowed places, by which these Forces did pass.

After the Civil
war a great Mur-
der on Cattel.

59. This did *Chilperick* by himself without the conjunction of his Nephew's Arms, which might more imbolden his Brother *Guntram* to make head against him, and that he did with such success, that falling upon his men in an Evening, he cut off the greatest part of his Army, and compelled him the day following to send, and desire a Peace, which was granted, the matter being put into the Hands of certain Commissioners appointed on each side. Then did *Chilperick* recall all his men he had sent into several Quarters, who yet in their passage did very great mischief to the Country People. This desolation by War was followed by a great Murrain and Death of Cattel, which raged in such a measure, that it became a strange sight to see a Cow, or any other such like Creature. In the mean time, *Childebert* got his men together, and made up a considerable Army, which fell suddenly into a Mutiny, crying out that the Bishop of *Rheims*, and some others of the prime Ministers were Traitors, selling his Countries, and Cities unto his Enemies, and Tumults arose to that height, that they came to the King's Tent, demanding them to be delivered up into their hands, and they with much ado escaped, the Bishop amongst the rest flying as fast as his Horse could carry him, and leaving one Shoe behind him for haste. What this Mutiny of the Army procured we know not, but *Childebert* in the Ninth year of his Reign, had his share of *Marfeilles* delivered up to him by his Uncle *Guntram*. What content fower he received hereby, his Uncle *Childebert* about the same time had his former sorrows renewed, his young Son now scarce a year old being taken away by a Dysentery. This caused him to give cool Entertainment to the Ambassadors of *Leovicchild* the *Spanish* King, who being sent to ask his Daughter in Marriage, for the Son of that King, though he had already consented to the Proposals, yet upon notice of his Son's Death, he recalled back the Ambassadors, who were now on their way homewards and would needs change the Bride, pitching, instead of his Daughter begotten on his beloved *Fredegund*, on another which he had by *Audovera*, lock't up in the Nunnery of *Poitiers*. But the young Lady was averse, *Radequid* the Abbess exceedingly concerning her self; and affirming, that it was a thing altogether improper, for a Maid that had dedicated her self to Christ, again to return to these Earthly pleasures.

Mummulus tor-
tured through
the malice of
Queen *Frede-
gund*.

60. But there wanted not some flatterers who made the Queen believe that her young Son was bewitched to Death, and that by the especial procurement of *Mummulus* a great Officer, whom she had of a long time mortally hated. Many of the Women of *Paris*, which either she or her Attendants pretended reason to suspect, she subjected to various Torments, burning some, and breaking others upon the Wheel; then went she with the King to *Compendium*, where she took her opportunity to lay the load upon *Mummulus*, who was instantly sent for, loaded with Chains and grievously tortured. Yet did not he confess any thing which had relation to the Death of the Child, though he could not deny but that several Ointments and Potions he had received from those Women, to procure favour and respect from the King and Queen. After an increase of Torments, when the Hangmen themselves were weary of their Office, and an end was to be put to their pains, and his sufferings by the impending Sword, by the wonderful bounty and kindness of the Queen he was reprieved, though carried in a Cart to *Bourdeaux*, and utterly despoiled of his whole Estate, the loss of which he not long survived. *Fredegund* to put an end to her sorrow by destroying what was an occasion of it, burnt all the Clothes and Furniture that belonged to the Child, four Waggon full as was reported, neither would she spare such Gold and Silver as had belonged to him, but made it pass the furnace to alter and deface its former fashion.

61. As soon as grief would give him leave, *Chilperick* considering that his Brother and Nephew were reconciled, and measuring the desires of others by his own Inclinations, presumed that they would fall upon him to wrest out of his hands those Towns which upon their difference he had invaded. He therefore sent to the several Governours to bid them stand upon their Guard, he himself went to the City of *Cambray* where he resolved to secure both his Person and all his Treasure; while he here mues up himself, he has another Son born to him, whom he commanded to be close kept in the Town called *Vitoriacum*, lest appearing abroad any mischief should befall him. *Childebert* at this time was in *Italy*, having been formerly hired by *Mauricius* the Emperor for fifty thousand *Solidi*, to make War up-
on

Sec. 3.

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The Lombards
submit them-
selves.

on the Lombards in that Countrey. - Gregory tells us that they being apprehensive of his great Power submitted themselves to his Commands, gave him great gifts and promised fidelity, which done, he returned home having thus deluded the Emperour, who demanding the money to be repaid, he confiding in his own strength, returned him no answer at all as to that matter. This Summer many Prodiges appeared, and all the Corn and Wine was destroyed by ill weather, a great Murrain also raging amongst Cattel. But the Eyes of the People were something diverted from these sad spectacles, by a splendid Embassy sent from the *Goths* to *Chilperick* about the Marriage of his Daughter. Nothing was wanting to set out the Bride in such an Equipage, as might demonstrate the Wealth and Magnificence of her Family. An incredible quantity of Gold and Silver he gave her, and her Mother out with such abundance that she herself had hoarded up, that the King himself imagined he had utterly exhausted his publick Treasure. But she went away with the curses of the people, of which some whole Families were thrust into Waggon and compelled to accompany her, and as she passed out of the Gate of *Paris*, the Axtree of her Chariot brake, which was interpreted as an ill Omen. Fifty Horsemen of her Train slipped away, and went to *Children* with their Golden Brides and Chains, and every day almost some of her Company left her. The Army that attended her for fear of any attempt from the other two Kings, being about four thousand men, rifled and pillaged the Countrey, and committed all sorts of Outrages in their passage.

62. While the Bride was thus on her way toward her Nuptial Enjoyments, *Fredogund* her Mother enjoyed her beloved *Lauderick* the Major *Domus* of the Palace, with whom she was ordinarily unclean, carrying it so cunningly, that nothing was less expected by her Husband, who still in an extravagant measure doted on her. But on a time when he was gone out to Hunt, she thinking he was sure, retired into the inner Room of her Apartment to walk her self, when the King, either changing his mind as to Hunting or upon some other account, speedily returned and followed her into her Chamber, where as she lay upon her face, he in jest gently struck her with his Rod. She imagining it had been *Lauderick* called him by that Name, and asked him why he did so, or used some more wanton kind of expression, which *Chilperick* having heard, fell into a violent fit of Jealousie, and thence into so great a Rage that the House could not hold him, but out he would go into the Woods to cool himself and vent his passion. She understood very well by his Words and gestures in what Estate she was, and adding boldness to her Crime, called for *Lauderick*, told him her mistake and bid him think of his Grave and not of her Bed any more. He fell into a great uneasiness cursing the day they had begun their unlawfull Pleasures, and cried out that he knew not what way to turn him or to escape the danger. She in short takes him up and tells him what she would have him to do to save both their Lives, and this was no less than to procure some to kill the King, as he came home in the dusk of the Evening from Hunting. He approving her advice, which their common danger in his opinion made necessary, sent some he could trust upon the Errand, who as the King lighted from his Horse dispatched him in the dark without discovery, and when it was done, gave out that the Fact was committed by some that had been set on by his Nephew *Chilperic*, who, they said, were fled again into the Woods, taking the advantage of the Night and thickets.

Chilperick Mur-
thered by con-
trivance of his
Wife *Fredogund*
and her Stallion.

par derriere d'autres dits qu'elle dit *Laudry*, pourquoy trapper vous par derriere, frapper par deuant, si vous en avez envie, caric croy que le Roy soit parly. Quoy qu'il en soit, l'ence ne l'autre responce ne vaudit gueres, et ne pouoit estre gueres plaissante a un Roy.

63. These No-bodies were by some body pursued with as great success as the Reader can imagine, *Lauderick* and *Fredogund* laughing in their Sleeves, and rejoicing that through the secret management of the affair, they had not only escaped Death, but should Reign together with her, (it's probable also his) Son *Chlothar*; for so was the young Child called. *Madalalphus* the Bishop of *Sylvanata*, who attended three days but could not be admitted to his presence, (he carried himself so haughtily) hearing he was killed, came to the place and causing the body to be washed, and better clothed, carried it by water from *Cala* where the Murderer was committed to *Paris*, and there Buried it in the Church of *St. Vincent*, now *St. Germain desprez*, where as yet is to be seen his Tomb with his Image, cut upon an hollow stone, in the Walk that lies before the high Altar toward the North. His left hand is stretched out toward his Beard and Throat, as if, as some imagine,

Locum ipsum
quem Gregorius
appellat Villam
Calatrin, De
Haitian nobis,
innuit esse Chel-
perici preteritum

he would signifie that in that part he had been Murdered. But *Philip Lautrey*, Master of the French King's Mint, had his very Seal wherein he was cut in this very posture, which makes it more probable that it was familiar to him, it having been the ordinary course when long Beards were in fashion, for all sorts of men as they walked or mused, to handle them and put them into shape. Round about his Sepulchral-stone are these words engraved, *Rex Chilpericus hoc tegitur Lapide, or King Chilperick lies under this Stone*. In the Table of the French Kings to be seen still in the Library at *Brussels*, he is Pictur'd in an ordinary travelling Coat, such as *Capitolinus* writes that the Emperour *Verus* used, or an Hunting Garment, such as *Virgil* saith *Dido* was wrapped in when she went out to that sport, (by him called *Chlamys*, but by *Juvenal* *Cucullus*, and *Marial* *Bardocucullus*), and that in such an ordinary Habit he was slain appears by what is written concerning the Bishop, that he caused his body after it was washed to be adorned with more Royal Veiements. He was the first of those French Kings that applied their mind to Poetry, and without the help of an Interpreter could discourse in several Languages, if *Venantius Fortunatus* doth not flatter him.

64. Gregory, the Bishop, and from him *Aimoinus* writes, that he thought himself wiser than all men living, and in imitation of *Sedulius* composed two Books of Verses, which were very lame in their feet, or *Scazontes*, as *Aimoinus* calls them, short syllables being put for long, and long ones for short, through his exceeding great Ignorance in things of this Nature. Yet from the Epitaph he made for *St. canes*, qui ne German, some plead that he wanted not a Poetical genius, and they grieve that these two Books of Verses are not extant to answer for themselves. It's certain that the Orthography of the *Franks* lame before for want of certain Letters, he made up-right by addition of such as answered to α , χ , θ , ϕ , or *Omega*, ch. th. ph. in the

Greek Language, sending his Edicts abroad, whereby he commanded that Children should be taught them, and such Books as wanted them, to be razed and transcribed. But whatever he was as to his Intellectuals, his Morals were naught, as *Gregory* intellanceth, and we already have seen in several particulars. The Bishop calls him the *Nero* and *Herod* of his time, and thus he makes good the names he gives him. As *Nero* of old, so he rejoiced in the burning and devastation of Cities and Provinces. He advertised upon persons on purpose to confiscate their Estates. He made his Belly his God, hated the Poor, despised and reviled the Clergy, upbraiding the Bishops with their Riches and Honours, and affirming that all respect was from Kings transferred upon their persons. Out of such a kind of principle he nullified such Testaments as were made in favour of the Church, as also many Orders made by his Father, believing that his own Rules would be infringed after his Death. As for Lust and Luxury, that in thought cannot be imagined which he

did not practise. Never was he wanting in devising new Arts and Mysteries to oppress the people, and if any were found blame-worthy, it was nothing with him to bid their Eyes to be pulled out of their Heads, this being one of his especial directions given to his Judges against such as disobeyed his Orders. In conclusion, he never cordially loved any man, nor ever did any love him. He died in the 23 year of his Reign, the second of the Emperour *Mauricius*, the tenth of *Petrus*, the second Bishop of *Rome*, the year of our Lord 587, according to the common account, although if according to the computation of *Joseph Scaliger*, we fix his beginning at the 560 of our Lord, and he Reigned but twenty three years, his Death must have fallen at farthest but into the beginning of the year 584. But considering that *Gregory Turonensis* makes mention of the Emperour *Mauricius*, before the Death of *Chilperick*, and that he had Reigned some time, (some years it's possible,) whereas the beginning of *Mauricius* is placed but at the 586 year of our Lord, had *Chilperick* Died in the 584, at that time there must have been no such Emperour; and therefore this account cannot be true, or the series of the years of the Emperours must be also unravelled, as upon farther consideration we shall find pressa fuerant, they must; *Tiberius* the Emperour Dying, and *Mauricius* succeeding him, rather in the 582 year of our Lord.

quingaginta milia solidorum acceperat filii. Childbertus, ut Longobardis de Italia excederet.

65. *Chilperick* being Dead, the Murderers notwithstanding their former hopes by some fresh accidents, found themselves obliged to make their Addresses to *Gunt-*

Who is buried
at Paris.

trium

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triam, who they knew, upon the rumour of the Murther if once it should come out, would be speedily upon them. To colour therefore the matter, as well as to make a virtue of Necessity, *Fredegund* having taken up her abode in the Church of *Paris*, sends him Letters most full of fawning and flattery, calling him her Lord, and desiring him to come and take Possession of the Kingdom of his Brother, whose Son an Infant she was ready to put into his Arms, and fully accommodate her self to his will and pleasure. *Guntram* it's said, as he ever shewed more good Nature than any of his Brothers, wept bitterly at the report of his Brother's Death, and as soon as grief would give him leave got together some Forces, and therewith marched to *Paris*. *Childebert* his Nephew having notice of what had passed, was perswaded also to go thither and see what Markets he could make out of the late Calamity, but the Citizens of *Paris* would not admit him into the Town, whereupon he was forced to send his Ambassadors on his Errand, which was to flatter *Guntram* with the Title of most pious Father, and to desire that the League made betwixt his Father and him might be now most strictly observed. *Guntram* received them as they had deserved, charging them with perfidious Dealings, who had never suffered his Nephew to stand to any Agreement, but lately caused him to break all Leagues and Alliances by a late Compact made with *Chilperick*, for driving him out of his Kingdom, and sharing his Cities betwixt them, and therewith he shewed them the very Articles themselves signed with their own hands, and therefore demanded of them how they could be so impudent, as to desire that now he should friendly entertain his Nephew, whom they by their tricks and devices had rendred so much his Enemy. They intreated him then that if he would not be pleas'd to grant his Nephew what he had once promised him, yet he would let him enjoy these Towns that had fallen to his share by the Death of *Charibert*. To this he replied and shewed them the Writings, whereby it was agreed that whichsoever of the Brothers without the consent of the rest should go to *Paris*, should loose his share, and that *Pollidus* the Martyr, with *Hilary* and *Martin* the Confessours, should be Judge and Avenger betwixt them. Yet did *Sigebert* his Brother enter that place, and perishing by the Judgment of God, lost his share, and so also did *Chilperick*, so that both of them having forfeited their parts, the whole Kingdom of *Charibert* together with his Treasures was by Law devolved upon him, and that he was resolv'd to have it as his right, not having any one to enjoy any parcel of it, except by his own bounty and free gift. With this answer, he bade them begon, like dissembling and perfidious Persons as they were, and make a relation thereof to his Nephew their Master.

Chlotharius succeeds *Chilperick* as King.

66. These Ambassadors being returned, others were sent within a while to demand *Fredegund* the Queen might be given up into his Hands, which had procured the Death, as they said, of his Aunt, and had Murdered his Father, his Uncle, and his Cousin Germans; but *Guntram* thinking the might be serviceable for settling the Affairs of her Son gave answer onely, that he would consider of it, and made much of her, promising he would protect her against all her Enemies. Now did the Nobility assemble themselves to their King of four months old, whom they called *Chlotharius*, and ordered that all the Towns which had been subject to *Chilperick*, should swear fealty to *Guntram* and *Chlotharius* his Nephew. *Guntram* as a means to keep all in quiet as well as to satisfy Justice, caused Restitution to be made of what had been unjustly taken away from any in his Brother's time, gave much to Churches, and confirmed such gifts as having been made to them by Testaments, had been assigned by *Chilperick* to other Uses; he carried himself to all with much affability, and was very bountifull to the Poor. Yet knowing sufficiently the humour of his Nation, would not he trust himself amongst them without a strong Guard where e'er he came. On a certain Lord's day when he was at Church, and the Deacon had enjoyned to the People silence that the Service might begin, he took the opportunity to speak to them, "adjoining them to be true to him, and not "Murder him as they had lately done his Brothers; that he might live though it "were but three years longer to foster his young Nephews, which were now be "come his Adoptive Sons, lest it should come to pass (which God forbid,) that he "and they being made away, all the People should also Perish with them, there "being none left of their lineage to protect them. This he having said, the "whole multitude poured out their Prayers to Almighty God for his Prefer- "vation.

67. While

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67. While matters thus went about *Paris*, the Daughter of *Chilperick*, *Rigunthis* by Name, having proceeded in her Journey toward *Spain* as far as *Tolose*, and being now upon the Borders of the *Gothick* Territories there made a stop to rest her self and followers, and put her Train into some better order and *Decorum*, being wearied and disordered by the Travel, and Accidents of so long a Journey: Here while they made an halt, News comes of *Chilperick* his Death, which when *Desiderius* a great Officer of the Countrey understood, he got together a Company of stout Fellows, and entering *Tolose* seized upon all the Treasure the Lady was carrying along with her, and committed her to close Custody till his return. He then goes and enters into Council with *Mummolus*, with whom he had entered into a strict League and Confederacy two years before, who then lay at *Avinion* with one *Gundebald*, who bore himself for one of the Bloud Royal. And so it seems he was, being a Bastard Son of King *Clotarius*, who not owning him; his Mother having Educated him after the Royal Fashion, with his Hair grown in length, presented him to *Childebert* as his Nephew, and his flesh and bloud. He having no Sons of his own, receives him and keeps him with him, which being made known to *Clotarius*, he sent and demanded him of his Brother, and being brought to his Presence, caused his long Hair to be cut off; affirming, that he never begot him. After the Death of *Clotarius* King *Charibert* received him, afterward *Sigebert* got him into his hands, and sent him to *Coloine* to Prison, as *Aimoinus* and the *French* Chroniclers will have it. However, thence he made his Escape and went to *Narjes*, who then Commanded in *Italy*, for the Emperour; his Hair being grown again, like those of the *Frank* Bloud Royal. In *Italy* he married, begot Children, and afterwards went to *Constantinople*, when long after he was invited by some (by *Guntram* *Bofo*'s said) to come back into *Gall*, and Landing at *Marseilles* was entertained by *Theodore* the Bishop, who furnished him with Horses to convey him to *Mummolus*, who then also lay in *Avinion*. Hereupon *Guntram* a *Dux* (as *Gregory* calls both him, *Desiderius*, and *Mummolus*) the same with *Bofo*, as appears from *Aimoinus* a great Officer of those parts, to conceal it seems what he had done, apprehends the Bishop, and commits him for having admitted a stranger into the Countrey, and made way for betraying the Kingdom of the *Franks* into the Emperour's hands, and though he produced a Letter written by some Noblemen of the Subjects of *Childebert*, to testify he had done nothing but what he was Commanded to doe, yet came he to great trouble, as also did *Guntram* the Officer himself, whom King *Guntram* had suspected to have sent for *Gundebald*.

Set up *Gundebald* for King.

68. For *Guntram* the Officer, sharing with another Officer of King *Guntram*, the Treasure of *Gundebald* (who had retired for his Security into a certain Island of the Sea adjoining) after he had carried much Gold and Silver to the *Metropolis* of the *Arvern*, where it seems his Command lay; went to speak with *Childebert*, and in his return was intercepted by King *Guntram*, who threatened him with Death, for inviting *Gundebald* into *Gall*. He laid the fault upon *Mummolus*, and as a Testimony of his Innocency, delivered his Son as an Hostage into the King's hand, till he took *Mummolus* and brought him before him. Hereupon he dismissed him, and he gathering a numerous Army went and besieged him in his City, but to no purpose, for after some vain Attempts, *Childebert* sent *Gundulfus* one of his Captains, and raised the Siege; *Mummolus* he brought to *Arvernus*, whence after some time he returned to *Avinion*, and there joining with *Desiderius*, as was said, they conveyed *Gundebald* to a place called *Briva Curretia*, and there according to the Custome, lifting him aloft upon a Target proclaimed him King. But carrying him a third time about the Army, he and the Target fell together, so that he could scarcely be raised by the Standers-by. Now was it *October*, when Bunches of Grapes appeared upon Vines, and Flowers upon other Fruit-Trees. Several strange Lights also appeared in the Heavens, the Earth quaked, and several other strange things fell out, which in the opinion of Men, were fore-runners and signs of the Ruine of *Gundebald*.

69. In the mean time, King *Guntram* sent his Captains to take in such Cities as having formerly belonged to *Charibert*, his Brother *Sigebert* had reduced to his own obedience. Those of *Tours* and *Poitiers* were inclined toward *Childebert*, *Sigebert* his Son; but the *Biturici* fell into their Territories, and forced them to submit themselves, at least for a time, to the Government of *Guntram*. *Childebert* his Affairs thus going to wreck, he sent his Ambassadors once more to his Uncle to require, that his Towns might be restored, and *Fredegund* given up into his hands, to receive

Gregorius, lib. 7. c. 21.

Comites *fract* *bet* *Greg.*

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ceive her Condamn punishment. But he sent those that he had formerly employed, who being very unacceptable to *Guntram*; very sharp words passed betwixt them, and from Words it came to Deeds, the King causing Dung and other kinds of filth to be cast out upon their Heads at their departure. *Fredegund* perceiving how much she was favoured by the King, was more emboldened to follow on that Course of Cruelty and Bloud, to which her wicked Nature did incline her. Such as came from her Daughter now at *Tolouse*, though but to bring her the News of her misfortune, the handled with all Indignities imaginable. *Prætextatus*, the Bishop of *Rouen*, the still persecuted, who appealing to *Guntram*, it was found that he never had been by any Synod deposed, which she objected, and so he was remitted to his See. The King being now very sensible of her unquiet and turbulent Humour, caused her to retire to a Village called *Rothmale* near to *Rouen*, whither she was Conducted by her Husband's Nobility, who used her with all Respect, and promised her to use all diligence and fidelity in the Education of her Son. But this Confinement she took in great disdain, and perceiving her self out of request and Power, began to think of *Brunechild*, whom being in good Esteem in the Court of her Son *Childebert*, the much envied and hated, and to that degree her more than Womanish Emulation rose, that she persuaded a certain Clerk to go to her House, and getting into her Family by degrees to infuse himself into her Presence, and when he had got a convenient opportunity, to kill her. He cunningly enough observed her rules, but by some means or other the Plot was discovered, and the fellow was sent back ignominiously to her, whom for his Labour he rewarded, by cutting off his Hands and his Feet. Whether the report of these Acts of Cruelty, made *Guntram* suspect she had an hand in her Husband's death or no, we know not, but presently after, he began to make Inquisition after it. But she so craftily ordered her Affairs, as to cast the whole load upon *Eberulfus* the Chamberlain, with whom she was slain out, because after the Death of *Chilperick* he refused to live with her. This *Eberulf* was a very bad Man indeed, as appears from the Character given him by *Gregory*, who had too much occasion to understand him, and whether Guilty or no, took Sanctuary in the Church of St. Martin, his Estate being disposed of by the King. Here he had not long continued, when *Guntram* sent one *Claudius* with great Promises to *Tours*, persuading him, either to take him alive or kill him; yet so, as not to violate the Privileges of the place. This *Claudius* being covetous, goeth to *Fredegund* and gets Money of her for doing the feat, then with many Oaths doth he promise Friendship to the man, and grows so familiar with him, that getting a convenient opportunity he kills him within the Sanctuary. A great Tumult hereupon arising, the Servants of *Eberulf*, coming in to rescue their Master, seeing him already dispatched kill *Claudius*, who thus received the reward of his Perjury, and those that belonged to the Church and the Abby, mixing themselves with the multitude, much more Bloud was spilt in the place.

70. This Year being the tenth of King *Childebert*, those of *Poitiers* revolted again from *Guntram*, against whom he sent a strong Army, and constrained them after much hurt done to the Country, to return to obedience. This done, the Army had Orders to march against *Gundobald*, who improved his time in rising several Cities; some whereof willingly received him, and others shut their Gates upon him, as did *Tolouse*, though to no purpose, not able to withstand the Power he brought along with him. He perceiving he was like to have a great Task of it, a strong Army being already on its march against him, sent two Messengers, or Ambassadors as he would call them to *Guntram* with consecrated Rods in their hands, as was the Custome of the *Franks*, that none might touch them; but having done their Message, they might return in safety with the Answer. But they were so indifferet as before they came to the King's Presence, to blab out the Errand on which they were sent, which coming to his Ears they were met in the way, and being bound with Chains, were then brought before him. They concealed nothing of their Message, but told him that *Gundobald* who lately arrived out of the East, and affirmed himself the Son of *Chlotbarius*, had sent them to demand his share of his Father's Kingdom, which if by fair means it could not be granted; they were to let him know, that with a numerous Army he would speedily be with him, for all the Men of Courage which inhabited beyond the River *Doremnia*, had joyned themselves with him, and this he said, that when once they came into the field, then God Almighty would determine the Controverfie, whether indeed he was the Son of *Chlotbarius*. *Guntram* fell into a great Rage, and Commanded them

The Inhabitants
at *Poitiers* subdued.

them to be tortured. In their pains, they confessed that his Niece the Daughter of *Chilperick* had given up the Treasures, at *Tolouse*; that *Gundobald* was earnestly desired as King, by all the Nobility of King *Childebert*; for *Guntram Boso*, who some years agoe had made a Journey to *Constantinople*, had invited him to come into Gall.

Guntram adopts
Childebert his
Heir and Suc-
cessor.

71. King *Guntram* was very much startled to hear what they said, concerning the Noblemen of *Childebert*, and thought fit to send for him, that he might hear the Confession of the Messengers. In his Presence they constantly affirmed the same thing, and some of those that were Guilty absented themselves, not daring to be present at the meeting. *Guntram* seeing how his Nephew was betray'd, in a great Passion of Pity and Commiseration, delivered a Spear into his hands, telling him thereby, he delivered over to him his whole Kingdom; and bidding him go, and what Cities soever belonged to him to use them, no otherwise than his own, for as much as he only remained of his Lineage, being his Brother's Son; and therefore designing him his Successor, utterly disclaiming all else whatsoever. Then taking the Youth apart, he discoursed with him in private, Conjuring him, that he should not reveal what he propounded to him. He told him, whom he should make of his Council, whom he should trust, of whom to beware, whom to employ, and whom to remove from places of trust and Employment. Especially, he gave warning to beware of *Egidius* the Bishop, who said, had ever been an Enemy to him, and had forsworn himself very often to his Father. Then Dining together, he turned to the followers of his Nephew, and bade them look upon him now no more as a Child, but Respect and Reverence him as their King. Having spent three days together, they parted with all Expressions and Tokens of love and kindness. *Guntram* gave Order, that whatever Towns had been ever his Father's should be given up to his hands, and bade him beware of *Brunechild* his Mother, whom he ought not to trust, though his nearest Relation, in matters which concerned *Gundobald*.

Gundobald's Bag-
gage taken.

72. *Gundobald* hearing of the great Army that was coming against him, and being now forsaken by *Desiderius*, came with *Mummolus*, *Bladastes* and others to *Comenne*, a City seated beyond the River *Garumna* to a very high Rock; the Inhabitants whereof he informed, how great a force would presently be with them, and therefore as a Friend he advised them, that whatever Provisions, or other things they had in the Country, they should not fail to fetch them in. This when the Inhabitants had done, after a little time he told them, the Enemy was come, and persuaded them to issue out against him, which they innocently did, and then shuts the Gates upon them, and keeps them out. The Army which we said had incamped it self upon the River *Dordonia*, hearing that *Gundobald* lay on the farther Bank of the *Garonne*, were restless to be at him, upon a Rumour, that there he lay with all the Treasure which had belonged to *Rigundis*, the Daughter of *Chilperick*. Leaving the more inconsiderable fort, with the Baggage behind them, the rest ventured to pass the River, and though many of them were drowned, yet a sufficient number got safe over to the other Bank, where they found a multitude of Camels and Mules laden with Gold and Silver, which having shared and incamped themselves before *Comenne*, and not satisfied with their former Booty, plundered and wasted all the Country adjoining. Then began they to jeer and revile *Gundobald*, calling him *Belimeres*, for so King *Guntram* affirmed he was rightly called, and that his Father was a poor Artificer, naming him both a Miller and a dresser of Wooll. He from the Walls laboured to take them off from their violent Prosecution, telling them, he was the true Son of *Chlotbarius*; and how by *Guntram Boso* he had been invited from *Constantinople*, upon Pretence that the Royal Family was much diminished, *Guntram* his Brother (as he called him) only surviving now of all his Father's Children; besides *Childebert* the Son of his Brother *Sigebert* was but young, and *Chilperick* his other Brother had lately left an Infant behind him. He insisted much upon the Hardness of his Case, and said he was willing to appear before his Brother *Guntram*, and stand to his Judgment and Award.

73. This nothing moved the Soldiers, who perceiving the Town was not to be stormed, thought best to send to *Mummolus*, and try whether they could work him off, and persuade him to oblige King *Guntram*, by deserting and delivering up into his hands this Counterfeit, as they termed him. *Lewdegisilus* then who Commanded the Army (being by Office the Over-seer of the King's Horfes, whom they commonly call *Comestabiles* saith *Aimoinus*) procuring Speech with him up-

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braided him for quitting his Allegiance to his King, and serving an Usurper; asked him what it was he could expect, whether to perish miserably, the Town being once taken; and advised him by all means to return to his Master, who was very mercifull, and whom he might oblige by removing these Difficulties and Intanglements, into which he had been the great means of bringing him. *Mummolus* promising he would consider of the matter, goes back into the City and resolves with *Sagittarius* a Bishop, and *Waddo* (for *Bladastes* fearing what might happen, had set Fire to an House belonging to the Church, and while they were busie in quenching it escaped) to yield both the Town and *Gundobald* into the King's hands. *Lendegiflus* promising them Pardon and Indemnity. *Mummolus* then tells *Gundobald*, he had tried the minds of the Besiegers, and found them not at all averse to him; but they admired he would not have recourse to his Brother *Guntram*, whom he knew would be Friendly to him, and he uses many Arguments to put himself into the King's hands. The poor Man saw well enough his drift, and fell into a Passion, upbraiding him and his Companions, for inviting him into *Europe*, taking his Treasures from him, when he arrived, and now betraying him into the hands of his Enemies. Perceiving it was no contending he went out with them, and being delivered up after a Prayer, wherein he desired Almighty God to be the Avenger of his Cause, he was by one *Bollo* Count of the *Bituriges*, tumbled down the Rock into the Valley, and by *Bofo* brained with a stone.

74. The Rabble insulted over the dead Body, stabbing it with their Lances, which done, they tyed a Rope to the Feet, and dragged it throughout the Camp; after which having the Hair and Beard torn from the Head, it was cast out unburied in the same place, where he had been slain. The Town they plundered, put all to the Sword they found in it, and then burnt it, no kind of Persons, things or places being spared. *Lendegiflus* returning to the Camp with his Prisoners, *Mummolus*, *Sagittarius*, *Cariulfus* and *Waddo*, sent privately to the King, to know what should be done with them. *Guntram* returned word they should be put to Death, for a Terror to others in time to come, which was executed speedily upon *Mummolus* and the Bishop; for *Waddo* and *Cariulfus* having left their Sons as Hostages were got away, *Waddo* who was the Major *Domus* of *Riguntibus*, afterward betook himself to *Brunichild*, and being kindly entertained was dismissed with great Gifts; *Cariulfus* took Sanctuary in the Church of *St. Martin*. Of all the Treasure which *Lendegiflus* brought home, *Guntram* bestowed the greatest part upon Churches and the Poor, and of another vast sum (two hundred and fifty Talents of Silver, and above thirty of Gold, which being an old Treasure was found by *Mummolus* as it was thought, and was now by his Wife discovered) that part which fell to his share (for he divided it betwixt himself and his Nephew *Childebert*) he bestowed (or the most of it) upon such like uses. Those that had been too slow in the expedition against *Gundobald* were fixed, and amongst the rest, such as belonged to a Cell of *St. Martin*, which our Historian, the Successor of that Saint takes, very ill. This year was there great Famine throughout all *Gall*, many of the poorer sort perishing for want of Victuals.

75. *Childebert* having received Money from the Emperour to fight against the *Lombards*, was so wearied with the Importunities of the Imperialists, or ashamed to have received the Money, and not performed this part of the Bargain, that he sent his Army into *Italy*; but his Captains it seems being too many, and equal in Power, quarrelled one with another, and returned without having any thing of moment performed. This year was notable for the great Rains, which seemed to turn Summer into Winter; but neither they, nor the Water of the Sea it self was sufficient to extinguish two Fires, which if we may Credit our Authour, consumed two Islands, in the space of seven days, with the Inhabitants, and all other things upon them. In another Island near *Vienna* was there a Pool, which being full of Fish, the Water of it was for the depth of an Ell turned into Blood, so that for many days together multitudes of Dogs, Fowls, and such like Creatures came and fed upon it. The year after, *Guntram* sent his Armies to invade *Spain*, and revenge the Death of *Ingundis* his Niece, the Sister of *Childebert*; who having been married to *Herminechild*, the Son of *Lennichild*, the King, was grievously persecuted for her Orthodox Religion, and her Husband being put to Death, was before (or after) delivered into the hands of the Emperour's Officers, (he having an Army in those Quarters) and died in *Africk*, as she was going with her young Son to *Constantinople*, who, as others write, after his Mother was dead in *Italy*, was thither conveyed

Gregorius hac in re non fuit constans.

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in safety to the Emperour's Court. The Armies of *Guntram* and his Nephew *Childebert* made several Inroads and Attempts upon certain places, upon the Frontiers, but usually with bad Success, and one time with very great loss of Men. Of this defeat *Fredegund* was thought to be a principal Cause, by the close Intelligence she was presumed to have in *Spain*, though nothing could be proved against her. However, she attempted to Murder *Childebert* by her Emifaries, whom she furnished with poisoned Knives, and though this her design was discovered by the Men themselves, who confessed she had sent them to do the Deed, under the disguise of Beggars; yet *Prætextatus* the Bishop of *Rouen*, against whom she had long time born a great Grudge, she procured to be wounded to Death in his own Church, as he was celebrating Divine Service.

76. About this time, the whole City of *Paris* in a manner was burnt, yet were the Churches and the Houses of the Priests saved; a Report going, that the City was so Consecrated of old, that no Fire should absolutely prevail against it, neither any Moufe nor Serpent be found in it; but in his time *Gregory* tells us, the River about the Bridge being cleansed, a Serpent and a Moufe of Brafs were found in it, after which both Mice and Serpents appeared without number, and it was thenceforth subject unto Fire. This same Year, which was the eleventh of *Childebert*, was a Son born unto him, and called *Theodobert*, at whose Birth King *Guntram* so very much rejoiced, that upon the News received, he speedily sent away his Ambassadors with great Gifts to the Child: "Saying, that if it pleased God, that Father and Son should live together, the Boy might prove a great Instrument for advancing the Honour and Reputation of the Franks. *Fredegund* was much out of Humour, to see the Family of her Rival thus prosper, and though of late she had had but ill Success, as to the Blood Royal; yet she resolved to make another Tryal, and that now upon the Person of *Guntram*, thinking that if he were once out of the way, she should be better able to deal with young *Childebert* and his Relations; but neither would this Project take, for the Man was discovered in the Church e'er he could come at the King as he went to Prayers, and rewarded as he had deserved. The same Year, which was the twelfth of *Childebert*, he had

Gregor. Thron. lib. 5.

another Son born, who was named *Theodorick*, and a little after by the means of his Uncle *Guntram*, he discovered a dangerous Conspiracy for taking away his Life, entered into by one *Rauchingus Ursus*, and *Berthefred*, Men of prime note and Employment in his Kingdom. Not long after, was *Guntram* *Bofo* by both Kings at a meeting judged to Death for Treason; whose Death broke the Heart of *Agénus* Bishop of *Verdun*, that passed his Word for him. About this time the *Britains* inhabiting *Aremorica*, made great Devastations in the Countries about *Nantes* and *Renes*, and though upon apprehension of an Invasion to be made into their own Territories, they humbled themselves, and condescended to terms, yet when the Danger was over, they again renewed their Hostilities. The *Lombards* now courted *Childebert*, and desired a Marriage betwixt their King and his Sister *Clodofunda*, to which he at first was minded to condescend; but *Lennichild* the King of *Spain* being lately Dead, *Richardus* his Son and Successor, having abjured the *Arian* Heresie, purged himself of the other Sisters Death, who had been married to his Brother, and most earnestly desired his Alliance. This made him break his Promise made to the *Lombards*, and because he knew not well how to excuse himself, and come off by fair means, he resolved to begin the Quarrel first, and in Compliance with the Emperour's pretensions, sent an Army to invade *Italy*.

77. This Army had the same Success, as others that had been sent before; and was to be expected from the joyned and equal Command of several Officers. So great slaughter was made of them, as if we may Credit an Historian, and a Bishop, the like never had happened unto this Nation. *Childebert* upon the News of the defeat, was touched with so great a Sense of the Diminution of his Honour, that he resolved to raise another Army, and lead it himself into *Italy*, of which design they having notice given them, sent to him, gave him fair Words, and by a Promise of Tribute diverted him from his purpose; though when they saw the storm was over, they never became so good as their Word. *Guntram* his Uncle had advised him to a Peace, as indeed being more favourable to the *Lombards* than the *Goths*, whom he distastd for the Cruelty shewn to his Niece, the Wife of *Herminefredus*; and for that in the several Attempts he had made to revenge her misfortune, and to gain upon the Territories of the *Goths*, he had most commonly come off with disadvantage. Notwithstanding what his Nephew *Childebert* had

designed

The Britains make great Devastations about Nantes and other places.

Two expeditions in Italy, but with loss.

And he himself betrayed by those of the Conspiracy is Murdered.

Mummolus and the rest faring little better.

An Army sent into Italy.

Spain also invaded by the Franks.

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designed about the March, he sent another Army into *Septimania*, where it was surprized, lying in great security, by the *Goths*, and utterly routed, above two thousand being taken Prisoners. This made *Guntram* suspect his Nephew of having held Intelligence with the Enemy, and, as it was usual with those Kings, upon any misunderstanding he shut up his frontier Towns, and denied all passage to his Subjects, and this increased his jealousy, that *Childebert* had lately thoughts of fending his eldest Son *Theodobert* to reside at *Soissons*, which he interpreted as done with design to make, as it were by stealth, a passage to *Paris*, by which means gaining the Hearts of the Citizens, he would pull them for the whole, and deprive him, if it might be, of his Kingdom. He spoke now very harshly of *Brunichild*, as having laid the platform of this design, and affirmed she had sent for one of the Sons of *Gundobald* to marry him. He caused a Synod of Bishops to be summoned to meet on the first of *November*, and many were on their way from the utmost parts of *Gall*, when News was brought that *Brunichild* had purged her self by Oath of the things laid to her charge. Hereupon they returned, and the ways were again opened to any of *Childebert* his Subjects, that had occasion to pass into these Quar-
ters.

78. *Childebert* now dared to send his Son to *Soissons*, without fear of giving Offence and matter of Jealousie to his Uncle. Keeping his own Court with his Wife and Mother near *Stratzburg*, he consented he should reside there, at the earnest desire of the principal Inhabitants, who received him with all demonstrations of Kindness and Affection, with his Train and Equipage, which was every way appointed as for the Son of so great a King. Presently after a discovery was made of a Conspiracy betwixt *Sanegifilus*, his *Comes Stabuli*, and others, who had made a compact with *Septimania*, the Nurse of his Children, to poison or bewitch *Fallenba* his Queen, which being done, when he had married another Wife, they thought they should rule him as they pleased; if not, he was also to be sent out of the way, and then, as Guardians and Protectours of his Children, they were to share the Government. This Year, which was the fourteenth of *Childebert*, after *Easter*-Week, so great Rains fell, that in the space of three Hours great Rivers seemed to run through the Vallies. In Autumn the Trees blossomed, and Apples appeared as in the Spring. In *September* Rotes were found to grow, and Rivers overflowed their Banks to such an height as never formerly had been known, to the great hindrance of sowing the Winter Corn. But these Overflowsings not onely happened in *Gall*; for *Gregory* tells, that the year following his Deacon returning from *Rome* with certain Reliques, made relation, that the River *Tiber*, in the self same Month, had, by an unheard-of Inundation, drowned all that City, destroyed the ancient Buildings thereof, and overturned the Barns belonging to the Church, wherein some thousands of Measures of Wheat were laid up. A Multitude of Serpents, with an huge Dragon, as big as a Beam of Timber, swam down the River into the Sea, and being fuciated in the salt Water, were cast dead upon the shore, and then followed a dreadfull Plague (called *Lues Inguinaria*, from the *Bubo*'s that arose in the groin) which swept away a great number of People. This is the Plague where-with many being seized, fell into a fit of sneezing, and suddenly died, whence some would derive the custome of praying for such as sneeze, which Opinion we confute in another place. As for this Dragon which swam down the River, it could not be of that sort of Creatures which Naturalists properly call Dragons, but some other Serpent, monstrous for bigness, and therein exceeding all such creeping things, by *Pliny* called *Bææ*, which he himself relates to have been sometimes seen in those parts of *Italy* which lie upon *Tiber*. From the noisome Vapours issuing out of their Carcasses, a Venome might be transmitted into the Air, already subject to putrefaction through excess and moisture.

79. About this time *Childebert* sent his Ambassadors to *Mauricius* the Empe-
rour, who touching at *Carthage* in their way, there happened a great Fray betwixt their Train and the Townsmen, a French Boy having taken something out of a Tradesman Shop, and refusing to restore it. The Magistrate of the Town, to revenge the injury, which was utterly unknown to the Ambassadors, fell upon them and their followers at their Lodgings, and though they promised to spare their Lives, if they would surrender their Persons, yet in the heat of their Fury two of them they killed, *Bodegisilus* and *Evantius* by Name, and *Grippio*, the third Man that bore this publick Character, hardly escaped their violence, standing upon his guard, and so gaining time to reason the matter with them, and shew them the
danger

Several Prodi-
gies.

Lib. 8. c. 14

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danger they had incurred. Moved with his Arguments they pacified themselves, and at length withdrew to their Houses, and the Magistrate came to *Grippio*, and would have excused, or at least extenuated the Fact, offering him his utmost assistance for his safe travel to the Emperour's Court. Thither being come, after the signification of the business for which he was sent, he complained of the violence offered to the Law of Nations in the Murder of his Fellow-Ambassadors, of which *Mauricius* shewed a great Resentment, promising to give all satisfaction that *Childebert* should require, who being furnished with what *Grippio* reported at his return, by virtue of the League lately renewed, sent twenty Captains into *Italy*, to destroy the *Lombards*. Several of these Officers used in their passage Subjects and Countrey-men no otherwise than as *Lombards* indeed, acting all things Soldiers are wont to doe in an Enemies Country, and when they were come into *Italy*, through their variety of Opinions, and separating themselves, did little of moment, but being exposed to the Stratagems and Arts of the *Lombards*, after a vain expectation of succours from the Emperour, which was promised would be with them after three days, having spent three Months in the Countrey, and most of them being consumed with Sickness and Famine, the rest returned home. And before they could reach the several places of their abode, they were forced to sell their Arms and their Clothes to buy them Victuals.

80. The Army of the *Franks* being thus retreated, *Apracharius*, the King of the *Lombards*, to prevent all farther Inconveniences of this nature, sent his Ambassadors to King *Guntram*, hoping by his Authority to prevail with, and pacifie his Nephew *Childebert*. *Guntram* by his good words was moved to recommend Peace as a desirable thing to his Nephew, but while the Ambassadors expected their dispatch in his Court, News came that the King their Master was dead, whereupon *Childebert* resolved to take farther time to deliberate, and telling them he would after mature consideration signify his Mind to those concerned, therewith dismissed them. *Mauricius*, the Emperour, mindfull of the Affront which had been offered *Childebert*, sent twelve Men, who were conceived the guiltiest in the violence made upon his Ambassadors in *Africa*; but he, whether to reserve an occasion to make use of against the Emperour, or for other reasons, sent the Men back unhurt, saying, he could not accuse them particularly as Authors of the Injury, and that he would send Messengers of his own to him about this Affair. While these Transactions were in hand, the *Britains* inhabiting *Arenbrica* renewed the usual Devastation into the parts about *Nantes* and *Rennes*, where committing all sorts of Insolencies, King *Guntram* sent an Army against them, under Command of two Captains *Beppolenus* and *Ebracharius*, who being equal in Authority, a pernicious course, which yet our *Franks* ordinarily practised, fell out by the way, and thereupon the expedition had a success suitable to those principles. In their march yet they agreed in this one thing, to commit all manner of Villanies upon the Countrey, and having passed the River *Vicinquia*, came as far as the other called *Ulda*. It happened *Fredogund*, that Fury of *France*, had a grudge to *Beppolenus*, and therefore hearing that he was employed against the *Britains*, sent to the Aid of *Warocus*, their Prince, a Party of *Baio Cabne Saxons*, with their Hair cut, and apparelled after the British Fashion. *Beppolenus* engaging with both Nations, though forsaken by *Ebracharius* his Colleague, who would not come near him out of design he should miscarry, for two days together had good success, and slew many of them, but the third day was overpowered and slain; which done, *Warocus* battered *Ebracharius*, and sent him back with fair words, promising to submit himself in all things unto *Guntram*. Yet forgetting both his Oath and Hostages, he had delivered, he sent *Canaon*, his Son, to fall upon such of the Army as loitered, which he made Prisoners, killing those that resisted him. The *Franks* in their retreat fearing to come nigh the Countries they had so much injured, left they should be prepared for them, took other ways, and did as much mischief where they came unlooked for. Some accused *Ebracharius* the *Dux*, and *Willacharius* a *Comes*, as having for money betrayed the Army, whereupon the former was sorely taken up by *Guntram*, and discharged the Court; the other withdrew, and concealed himself till the storm should be over.

81. The Year following being the fifteenth of *Childebert*, and the twenty ninth of *Guntram*, this King, who was eminent otherwise for his Mildness and Moderation, (considering the fierceness and precipitancy of his Nation and Ancestours,) committed a Fact, for which he was taxed even by himself, with great cruelty and

The Britains again
infect the
Country.

Sect. 3.

**The Original of
the Convent.**

inhabit, and thence was the name given to their City; but this opinion having none more ancient to patronize it, than *Iſidorus Hiſpalenſis*, and the current of all ancient Geography running againſt it, which after the time of Pompey finds the *Vaſcones* in *Iberia*, (or that part of Spain on this ſide *Iberus*), and no ſuch People in *Aquitain*, it is as obnoxious to exception as the former. As for that People of *Aquitain* called *Convenæ*, they derived their Original from the *Veſtones Arrebaei*, and *Celtibæri*, Nations inhabiting the farther *Spain*, and not from the *Vaſcones* as *Iſidorus* believed, for ſo we are taught by *St. Hierome* in his Book againſt *Vigilantius*. Others more probably gather from *Aſonius* the Poet, that as long as till the Reign of *Gratian*, the *Vaſcones* contained themſelves within their own bounds, and that that part of *Aquitain* which after they poſſeſſed, was then held by the *Tarbelli* the ancient Inhabitants, for * he in his Epistles to *Paulinus* both calls the Countrey *Arva Tarbellica*, and placeth the *Vaſcones* in a Countrey far differing from that there, both in ſituation and Cuſtome, even in *Iberia*, or the *Pyrenean* Mountains, which the anſwer of *Paulinus* to him doth ſufficiently confirm.

89. But after the Death of *Gratian*, the Roman Empire mightily declining even to Ruine in *Gall* and *Spain*, and especially the Coasts about the *Pyreneans*, being waited by the *Alans*, *Vandals*, *Suevi* and other barbarous Nations, then might our *Vascons* a Warlike People, and ambitious of enlarging their Bounds, seize on that Mountainous part of *Gall*, which adjoyns to the *Pyreneans*. But by what degrees, and in what method and manner it's very difficult, if not impossible for any to assest, we may conjecture with others, that besides that Region which the *Bajques* or *Biscainers* hold at this day, the Principality of *Bearne*, and the County of the *Bigerrians* were now taken and held by them, for this very reason, that at this day are to be seen the Ruines of old Towers, in those Mountainous tracts, disposed as our Beacons one against another, to receive and give warning by Fire upon any Invasion. But the plain Grounds together with the fortified Towns, as *Lapardum* now *Baïon*, *Benear* or *Orthes*, which gave name to the Principality; *Bigorra* of old the Metropolis of the Countrey, and now a Village, and *Corvenne* now *St. Bertrand* were yet under the Dominion of the Kings of the *Franks*, as may be understood from several places of *Gregory Turonensis*. Thence came it to pass, that so Mountainous and barren a place not being able to maintain so numerous a People, they were confined to make several Inroads into *Novempopulania* which was then also subject to the Dominion of the *Franks*. Hereof *Gregory Turonensis* assures us, where he writes that the *Vascones* descending from the Mountains, depopulated the Fields and Vineyards, burnt the Houses, and led some Men and Cattel away with them, to encounter with *Affronaldus* the Duke was sent, but was able to do little against them. * *Venantius Fortunatus* also after his manner hints to us the

The Vascons subdued.

Branechild's Vi-
lanies.

to dolele againſt them. * *Penantius Fortunatus* alſo after his manner hints to uſe the Incourties they were wont to make. But before this expedition of *Alfredus*, we find in *Gregory* that *Blandafes* by Command of *Chilperick* the firſt, made War upon them, but with ſuch ſucceſs, that having done nothing of moment he loſt his Life, together with the greateſt part of the Army. Theſe Events ſhewed that this Strenuous and Magnanimous People was not to be overcome, but by the power of two Kings in conjunction together. *Theodorick* and *Theodebert* having overthrowen *Clotair*, and become Maſters of the greateſt part of *Gall*, eſpecially of *Aquitain* they were unable to reſiſt their Power and Majesty, and ſo were forced to ſubmit and accept of a Duke called *Genialis*. How afterward they ſhook off the Yoke and invaded and made themſelves Maſters of *Novempopulania*, which from them received the name of *Gaſcoigne*, and alſo concerning the places they left, we ſhall ſpeak upon a fitter occaſion.

90. The two Brothers having this success against the *Falcons*, farther strengthened their interest by a stricter League and Alliance with the *Lombards*, the Daughter of *Theodobert* being contracted to their King's Son, and so Peace and Prosperity now seemed to be returned to the *Franks*. But all things were again put out of order by the wicked practices of *Brunechild*, who being as we said expelled the Court of *Theodobert*, was kindly entertained by *Theodorick* her other Grandson, and now began to play her Pranks more dangerously and with greater success. Being vitiously inclined her self, she hated and opposed all about him that were virtuously given, *Egila* a Patritian, a man of great Integrity and excellent parts, for no other fault but because he was rich, she loaded with grievous Complaints, and caused to be put to Death, and his Estate confiscated. *Desiderius* Bishop of *Vienne*, a Prelate eminent for Holiness, she procured to be removed from his See, and, one *Domnitius* being put into his place, to be recalled out of Exile and cruelly Murdred.

C. 2. Unde &
Conuenatum na-
men accepit. Hinc
usque latrocines
contra ecclesiam
Dei & de Vello-
ribus Arreba-
Celtribusque des-
cendens iaceret
Galliarum eccle-
sias, &c.
* Vide Ansonii
Epist. 23. & 25.
& proxima Pau-
lini Carmina An-
sonio responden-
tia.

Bigerrisona vel
Bicerronum.

Vide Neutiam
utrinque Vasco
nia scriptam ab
Arnaldo Oibe-
narto Mante-
lensi, & Philiber-
tum Monachum
Jesuitam in Geo-
graph. Gallie
Aquitana.

S *Lib. 9. 6. 7.*

* Cantaber u
timeat, Vasco
Vagus arma i
mescat.

Atque Pyre
nae deferat Al
pis opem.
Lib. 10. c. 22.
Lib. 6. c. 12. C
Fredegarius in
Hist. Franc. Epi
tom. c. 87.

Нижня сар. 57
Варшт. 14. 57

Theodorick
Theodobert
Clotair.

Sect. 2

red. He that stood most in her way was *Berteald* the Major of the Palace, a person of great Wisdom, Conduct, Fortitude and Fidelity, whom though the endeavour to remove, yet armed by his Innocence and Prudence, for a time he withstood all her Assaults, till a furious lustfull passion seized on her, which rendered her so fierce and violent, that he must needs at length give way and perish. There was one *Protadius* a *Roman* by Birth, with whom as old as he was, the was wont to be too familiar, and out of her filthy love to him, had already advanced to the dignity of a *Dux* or Patritian, in the parts that lay beyond the Mountain *Jura*. But thinking this too small Preferment for her Minion, as the burnt with Lust towards him, so with greater Envy and Malice toward *Berteald*, whom she must now by one means or other send to another World, that in this *Protadius* might enjoy his place and Dignity; and for this purpose, the had the impudence to move her Nephew that he might be put to Death, upon slight and trivial pretences. *Theodorick* whether to gratifie her in her humour, in such a way as the Vulgar could not discover, or to divert her purpose, sent *Berteald* away into New *Africa*, or that part of it which called him Master, to protect the Country, but withed him no more than three hundred men. He as fortified against the Event, and sensible for what Encounters such an Army was most proper, spent his time in the Hunting of wild Beasts, which *Clotair* understanding, and hearing what numbers of men he had with him, imagined, as well he might, that he was come to affront him upon the Borders.

miris est Comitatus Gallicæ Pays & Comté dividebatur in Vicarias, Centenas & Decanias, in quibus Judices erant Vicarii, Centenarii & Decani. Sed de his alibi.

91. He dispatches against him his Son *Meroneus*, together with *Lauderick* his Mother's Minion, of whose Villany as to his reputed Father's Death, he seems all this while to have been Ignorant, or else must have spared him out of a more than ordinary, (if not filial) sympathy. *Bertoald* was to wife as upon notice of their approach, to leave off his Sport and seriously to beakle himself to *Orleanse*, where he was kindly received by *Auftrous* the Bishop. *Lauderick* diligently purfues and brings his Army before the Gate, where he upbraids him with Cowardise for running away, and challenges him to come out and fight. *Bertoald* fends him word, that he made an hypocritical shew of Valour, knowing how much he was superior in Numbers, but if he would demonstrate himself a true Cavalier, he should fet his Army afide and fight with him a single Combat, to which he fent him a formal Challenge. *Lauderick* refusing to accept it, he then gave him to understand, that for the affront and injury he had offered to *Theodorick* his Master, in invading his Dominions, he was very certain that satisfaction would be demanded in an higher manner, and that a strong Army would shortly be in the Field, where when the *Battel* joyned he would meet him, desiring they might put on such Clothes, as might distinguish them, and make them known to each other, and then he should find proofs of the Cowardise wherewith he charged him, and have opportunity to give a full evidence of his own supposed Valour. *Lauderick* would not reject this Proposal, and promising to meet him, both laid heavy curses on themselves if they failed of their word. This passed on the Feast of *St. Martin*, and *Theodorick* having notice of the Invasion, on *Christmas*-day following began his March, and coming to *Stamps*, a Town standing upon the River *Juma*, there expected his Cousin *Clotair*, who was nothing slow in his preparations for the Encounter, for before *Theodorick* could pass all his men over the River, the fight began. Here was *Bertoald* mindfull of his promise, and amongst the Ranks of Armed men, fought for, and provoked his Adversary to make good his word, but he thought fit to favour one, and by degrees giving back into the Rere, declined the Combat. *Bertoald* enraged hereat fill bore forward, and considering what Gains were laid to intrude him by *Brunechild*, and that he must loose his Office, thought it better to Die a Honourable Death in the Field, than to end his Life in an inglorious manner, and so rushing amongst the Troops of the Enemy, after he had killed many men, was at length overpowered by multitudes and slain. But *Theodorick* got the day, *Clotair* and *Lauderick* being put to flight, and *Meroneus* taken Prisoner, or as some say killed. He entred *Paris* in triumph, and had pursued his Victory, but that *Theodorick* being jealous of his Power, thought fit to balance him, and therefore joyning his Forces with the remainders of *Clotair* his Army, came with him to *Compendium*, and obliged his Brother to return home, without having any thing farther attempted.

Clotair beaten
again by *Theodor*
rich.

*Finnia seu prius
Finnassivum Car-
nium Vadicaf-
tium Parifio-
rum (bodie Fin-
ye) Salicilam
feu Stampas (bo-
die Estampes) op-
pidum interfluit
medium atque ad
Metiofedam oppi-
dum, seu Joffe-
dum vel Corbili-
um, ad meridiem
Sequane (nunc
Seine) infunditur*

92. *Br*

Seç. 3. 92. *Brunechild* therefore in effect was the only Person, whose Designs succeeded by the Death of *Bertoald*, into whose place of Master of the Palace, or *Major Domus*, *Protadius* her Gallant was speedily advanced, in the tenth year of *Theodorick* his Reign. This yet would not satisfy this wicked Woman, whose passions would not be terminated by the satisfaction given to Ambition and Lust, to these she must joyn Revenge, else all things seemed to be nothing to her. Her expulsion from the Court of *Theodobert* she still bore in an exulcerated mind, and no Plaster was large enough for the Sore, but the utter Destruction of himself and Family. Calling in then to her assistance her Friend *Protadius*, (whom she had by her tricks brought into great grace and favour with her Nephew, though for his Pride and Covetousness, he was grievously hated by all the Nobility of *Burgundy*;) she infilled by degrees the venom of Jealousie and Malice into the mind of *Theodorick*: She tells him that *Theodobert* had got into his hands all their Father's Treasure, and that it was a dishonour for him to be so sleepish, as to let him run away with it all, without once demanding his share; she persuades him he was altogether alienated from him in his affections, and (taking occasion of what had lately passed,) makes him believe that all his inclinations are for their Cousin *Clotair*, in sum, that he envied him for his parts, (conscious to himself how meanly he was furnished,) and had resolved upon his Ruine, as soon as time and opportunity should serve, but it was no wonder for one of the blood Royal to be hated by the Son of a rascally Gardner, who had not only robbed him of his Father's Treasures, but gaped also after his two Kingdoms. *Protadius* supplying this flame continually with Oil, *Theodorick* burns with that rage and malice against his Brother, that nothing but Fire and Sword in the Bowels of his Territories can allay his fury. An Army he raises and comes as far as *Cariacum*, where he incamps himself, prepared the next day to encounter *Theodobert*, who was not far off with a very strong force of his *Austrasians*. In the mean time, his *Lendis* or *Lendes* as our ancient Historians call them, meaning his Subjects or the Nobility of *Burgundy*, remonstrated to him how unnatural a quarrel he had undertaken, at the suggestion of some violent Spirits, and petitioned him, that in a friendly manner it might be composed. *Protadius* finding himself concerned took the wrong Course, and dissuaded him from making a Peace, affirming the quarrel to be good, and a War the fittest means for restoring a perfect understanding betwixt the two Brothers.

Theodorick and *Theodobert* quarrel.

Which concludes in a Peace.

Theodorick Marries.

93. The Nobility bearing him 'implacable malice before, was now out of all measure enraged, finding him to be the man, who upon all occasions thwarted what ever they propounded for the publick good, and they began to lay their Heads together, affirming it were better that one man perished, than that so many should lose their lives as must inevitably be killed the day following. The King understanding they held such consultations would himself in Person have gone to dissolve their meeting, but being hindered by those about him, for fear of danger he sent one *Uncelemus* to forbid them expressly to attempt any thing against *Protadius*, but he found them already to have surrounded the King's Tent, where *Protadius* was playing at Tables with one *Peter*, a Physician. Coming to them he changed his tale, and said it was the Command of King *Theodorick* his Master, that *Protadius*, as an Enemy to Peace, should be put to death, which heard, they all unanimously rushed in with their Swords drawn, and there slew him. By this Act (though illegal, and of dangerous consequence) the impending mischief was diverted, and *Theodorick* was compelled instead of a War, to make a Peace, and to return home, as he came, without having any thing performed. But however he bore it out, *Brunechild* neither could nor would digest the Injury. Beginning with *Uncelemus*, who had prevaricated away the Life of her Friend, she procured him to have one of his Feet chopped off, and to be reduced to the condition of a Beggar. *Wolpus*, a Patritian, who had been a principal Agent in the Murder, she also, by command of *Theodorick* caused to be killed, reserving *Theodobert* to a more convenient season. And the late defeat she had received in the death of her Minion, did but incite her to other Acts for the Establishment of her threatened and tottering Power. All this while *Theodorick* lived most unchristianly in Whoredom, having no lawful Wife, but gratifying his Lust by such Imbracements as were most pleasing to him, and by such unlawful Copulations had got four Sons. At length he bethought himself what infamy he incurred, and how uncertain the succession might be for want of Legitimate Issue, he cast his thoughts then on *Hermenberga*, the Daughter of *Bertrick* King of *Spain*, and sent his Ambassadors to desire her in Marriage, giving Oath that he would never deprive her of the Society of his Bed, nor of the Royal Dignity.

94. Upon

94. Upon this Condition *Bertrick* sends her with a Portion suitable to her Quality, and *Theodorick* receives her with as much Love and Respect, as becomes a Royal Bridegroom. But his Grandmother was far from wishing them Joy, for though to bring her self into a better Opinion with the People, she might seem to have Consented, nay propounded the Match, yet now she found her self in danger of a Rival, who by her Royal condition, the Beauty of her Person, and her conjugal Alurements might make her Husband totally her own, and exclude her from that Domination. Of which her Reverence to her Person, as a near (but neither so near, nor dear) Relation had possessed her. She goes to work, and by her Inchantments the effects that, how much soever he desired it, he could never enjoy his Bride; and this bringing him into some dislike with her, she follows him close, causes him to discard her, for I wot not what Womanish impotency, and to send her back to her Father without her Portion. *Bertrick* finding himself concerned no otherwise, than as Nature and Reason required; protested to the World his Repentment of so foul an Injury, and sent to *Clotair* to complain of the affront, and invite him to joyn in a League with him for chastising a Prince, who had no regard either to Conscience or Decorum, and doubtless, would as little scruple to commit any other piece of Injustice against the rest of his Neighbours, when he should be tempted to it, by any thing that gratified his Lust or Appetite. *Clotair* entered into the League, and promising him Assistance, sent some of his own with his Ambassadors to the Court of *Theodobert*; who moved with the same Arguments entered into League, as also did *Ago* King of the *Lombards*, who when he had given his Faith, that he would joyn his Forces for depriving *Theodorick* both of Life and Kingdom; the Ambassadors, having dispatched as he thought all effectually, for which he was sent, returned by Sea into *Spain*. But Alliances of this Nature made for Punishment of a fault, which redounds to the Detriment but of one of the Parties, and else carries only ill Example with it, seldom take Effect; and *Theodorick* accordingly slighted this, as a Scar-crow, the King of *Spain* dying not long after.

Another difference betwixt them.

95. Yet had this League such Effect upon *Theodobert*, as to encourage him to ripen some Designs he had in his Head, though thereby he extremely served his Grandmother in the Machinations, he laid for his own Destruction. Thinking himself secure of those that would back him, he complained of a most unequal Division of his Father's Dominions, and required that a New and more equal Partition might be made. The matter proceeded to that height, that had not some of the wisest on both sides most diligently interposed, all had been suddenly in a Flame; but they procured both Kings to hold their hands, and agree to come to an Interview at a place appointed, for a fair and friendly deciding of the Controversie. *Theodorick* came with ten thousand Men, with pure and simple Intentions, altogether free from Design and Treachery; but *Theodobert* brought with him a far greater number, wherewith having incompassed and caught his Brother as in a Net, he forced him to submit to such terms as he himself propounded: These were to quit several Provinces, as that of *Champaigne*, *Tours*, *Artois*, and that which in the days of *Aimoinus* had the Name of *Sugientis*, and so they parted with seeming Love and Friendship, though covered by deep flattery and Disimulation. For *Theodorick* being got out of his Brother's hands, and coming seriously to ruminate upon what he had, was so inflamed with desire of Revenge, that he renounced the Agreement as wrested from him by force and Terror, and set himself seriously upon to Revenge the affront; *Brunechild* ever being at hand, and spurring him on to that, to which of his own Disposition he was sufficiently inclined. In the mean time, *Theodobert* by an Act full of wickedness, provoked the hatred of God and Man against him, and made way for that Destiny, which was but suitable to his Actions.

96. He had to Wife one *Bilechilde*, a Woman indeed much inferior to him in Birth and Quality, for his Grandmother, while she resided in his Court, bought her of certain Merchants, and for the rareness of her Beauty as she made him believe, but indeed that she might have none to controll her, this Woman by reason of the Obligation being wholly at her Devotion, married her to him. By her he had several Children, but falling in Love with another called *Theodechilde*, he Murdered her to be in a Capacity to marry his new Mistress. But long he had not reaped the Pleasures of this new Conjunction, when he was diverted by the noise of his Brother's Arms, and forced to exchange the Combats of *Venus* for those of *Mars*. Their Cousin *Clotair* was so near a Neighbour, and of such Power, that to which side

Sect. 3.

Releases the Tribute that was formerly paid by the Lombards.

luff, the King of the Lombards, who feeling the burthen heavy, and not conceiving himself in a capacity to be eased by Steel, resolved to try what he could effect with Gold and good Language. Having picked out some fit Men for the Errand, he sent them to the Court of Clotair, where having stopped the Mouths of his principal Ministers, they had the better opportunity to open their own, and cunningly effected what they were sent for. They much insisted upon this plausible Argument, That the Friendship of any People is better founded upon Love and Goodwill, than Force and Servitude: That the Lombards quit of this ingratefull duty, would exchange it for others more generous and sincere of Gratitude and Fidelity. In conclusion, by their pleasing Language and Deportment, and paying down 3600 Solidi, (besides 3000 wherewith they had bribed three of the principal Ministers,) they struck up the Bargain, and bought off the perpetual Tribute at three years purchase.

105. Herewith Clotair of what consequence forever it was, rested satisfied, but shortly after, in the six and thirtieth Year of his Reign, he was overwhelmed with grief at the death of his Queen, who for her excellent Vertues and Endowments, left a great miss of her amongst the People. To make up this loss, as soon as sorrow would give leave, he married another Wife called Sicchild, by whom he had a Son called Hairbert; and considering what Jealousies and Enmities are wont to arise in Families where Step-mothers have opportunity to shew their biased Inclinations, he thought fit to send away Dagobert, whom he had by his former Wife, and made him King of Austrasia, delivering all the Countries formerly subject to that Crown into his Hand, except Ardenna and Vosagus, lying toward Neustria and Burgundy, which he thought fit to keep to himself. Having given him a Kingdom, in the next place he provided him a Wife, and such an one as by the Alliance was likely to procure Unity, and a good Understanding in their Family. Sending for him to Clippiacum, a place near Paris, he married to him Gomadinde, the Sister of Sicchild his Wife, and two days together they kept the Wedding with all Joy and Magnificence suitable to such an occasion. But the third day the Bridegroom fell into a discontent, not that he was now tied and bound by the Bonds of Matrimony, but straitened and confined within the limits of too narrow a Kingdom. He complained that he was not rightly called King of Austrasia, whereof the best and principal Parts were withheld from him, though, if his Judgment did not flatter him, he was now of Age and Abilities sufficient to take the Government of the whole.

106. Such were the complaints of the Son, but the Father thought he had no reason to make them, who had no right to any thing, nor could claim one foot of ground as his due, but had received all from his mere bounty. The Contest grew high, and the difference seemed to threaten the Franks with mischief, of which being aware, they interposed, and the matter being committed to twelve of the Nobility, they persuaded the Father for Peace and Quietness sake, to yield to the youthful heat and ambition of his own Son, (whose all must be at last,) and so they were thoroughly reconciled, the whole Kingdom being delivered into Dagobert's Hands, except that Region called Provence, and those places that lay on this side the Loire. The following Year Warnarius the Governour of Burgundy died, who was hardly cold in his Grave, when Godinus his Son married the Widow his Step-mother. This coming to the knowledge of Clotair, he commands him as an Incestuous Person to be put to death, but the noise of the Sentence anticipating much the Execution, he flies to Dagobert, and easily obtains of him to intercede for his Life, which at length was granted, in consideration of the great and eminent Services of his Father. His Life he was content to purchase with a Divorce, but she was not therewith satisfied, but as if it more behoved him to gratify her sensual Appetite, than to desire Life it self, fell into an implacable Passion and Hatred, which so far transported her, as to accuse him of designs against the King's Life. The King being in this point credulous enough, commanded him to make Oath, he had no such Intention, which, at the importunity of Chranulph and Wandalbert, he did, both in the Church of St. Medard at Soissons, and St. Vincent at Paris; yet this would not satisfy, they would compel him to reiterate it at Orleans, in the Church of St. Arian, and at Tours in that of St. Martin, whither as he travelled to do it, those fawning Courtiers, the King conniving at it, set upon him as he sat at Meat with several Friends, and notwithstanding their opposition, cruelly murdered him.

107. Clotair being exasperated by this imaginary Conspiracy, or his hand being now in, resolved to be very severe. This same Year he banished one Palladius, with Sedocus his Son, the Bishop of Toluse, as being privy to the Rebellion of the Pisans, and having laid to the charge of one Boso, an Inhabitant of Stampa, that

Makes Dagobert his Son King of Austrasia.

And of all the rest, except Provence.

Ardenna Syllus, Vosagus Mons.

Provencia Phoenici, in quidam interpretatur.

{ Clotair
Dagobert.

Sect. 3.

The Saxons rebell.

he had debauched Sicchild his Queen, caused him to be put to death. Assembling the Estates of Burgundy together, for the Election of a new Major of the Palace, into the place of Warnarius, they declared, that they desired to be governed by none but God and himself, which he took kindly, and would not impose any new Government upon them. In the mean time Dagobert highly concerned himself about the Saxons, who despising his Youth, disdaind to be subject to him. He disdaind as much to bear the affront, and getting an Army ready, passed the Rhine, and engaged in battle with Bertold their Captain. Here he was so hard put to it, that fighting manfully in his own Person, he received a wound in his Head, from which a piece of his Helmet was cut, with part of the Skin, Hair and all, which, having retreated to his Camp, he sent with the Skin, bloody as it was, unto his Father, desiring him to make all the haste he possibly could to his relief. Clotair then was making a more gentle sort of War with wild Beasts, but the fight of the Present sent him by his Son quickly diverted him to a serious Hostility, and he rather flew than went to his luccour, not giving himself rest, day nor night, till he reached the place. His preference filled the Franks with excessive Joy, of which they were not wanting to give ample demonstrations, and the noise easily reached the Ears of the Saxons, the two Camps being but parted by the River Visere. Bertold was unwilling to believe (at least that his Souldiers should) that Clotair was so near them, and gave out that the Enemy did but dream, so much as he had certain Intelligence, that the old King was dead. Hereupon he flew himself upon the Bank of the River, uncovering his Head, that his reverend grey Hairs, known to all, might convince them of his presence, but kept silence, to strike them with the greater apprehension of his Design.

But are subdued by Clotair.

Who dies.

108. Bertold, to make amends for his mistake or fraud, fell into opprobrious Language, using this Expression, Art thou there, dumb Beast? Wherewith Clotair inflamed, takes the water, and over he will pass, to be revenged, which his Men seeing, swim after him, and to shore he gets safe and sound, and sets upon his Enemy. Bertold, not able to sustain the violence of their Fury, takes his heels, and Clotair, though burthened with his Armour, and with his Boots, which were full of water, follows after so fast as almost to come up with him. Bertold seeing the danger he is in, now expostulates, then chides downright, and still professes himself his slave and vassal. But Clotair not giving heed to his hypocritical Expressions, which he knew a mere sense of necessity wrested from him, still pressed forwards, and getting ground, at length came up with him, and slew him, being the second Frank, if a modern Authour rightly observeth, who obtained the optima Spolia. Having cut off his Head, he returned back to his Son, and the rest of the Franks, whom he found all in sorrow and lamentation, because they could not keep pace with him, and had given him over for a lost Man. The Franks at the sight of him reassuming their courage, and under his Conduct invaded the Saxons, where wasting the Country, all Males they put to death, which exceeded the length of Clotair's his Sword. This Exploit and his Retreat he not long survived, dying A. D. 631. in the four and fortieth Year of his Reign, and the fifteenth of his Monarchy over the Franks, and was buried in the Suburbs of Paris in the Church of St. Vincent, now St. Germans, where as yet his Tomb (by whom, and at what time soever built) is yet to be seen on the South side, overagainst that of his Father Chilperick, Bertrude his Wife being buried a little higher. He had two Wives, as we have said, viz. this Bertrude, or Berotrude, by Fortunatus, in his Epitaphium, called Richilde, a Saxon, and of the Family of Athanachild, King of the Visigoths, who makes mention also of Clotair, her Husband; this diversity of Names, as Tily observeth, flowing from diversity of Speech, as he inflanceth in particulars of the French, and we might as easily of our own Language. By this Lady he had his Son Dagobert, and a Daughter named Biltide, married to Aribert, a Duke of Austrasia. His second Wife was Sicchild, and by her he had Aribert, Hairbert or Charibert, another Son. As for Meroveus, who was taken or killed at the Battle near Stampa, he seems to have been base born.

Dagobert succeeds him.

109. Dagobert having notice of his Father's death, sent with all speed certain select Persons to the Nobility of Neustria and Burgundy, to secure his Interest. They without much hesitancy clofed with him, as the rightful Heir, and received him at Reims with great concourie and solemnity, Aribert, his younger Brother, and for him Brunulf, his Uncle by the Mother's side, in vain contending for the Inheritance. The Estates thought Aribert far inferiour to Dagobert in parts, and for that reason, as well as others, declined his Interest. Dagobert having settled his matters,

Tunc hic muta
adversas Belli?
Sic Aemulus,
lib. 4. c. 18.
Alit hoc modo
vetulum & Ce-
num Jumentum
addebat? Lin-
gua scilicet Ver-
nacula, unde Li-
guer Francorum
& Saxonum idi-
oma inter se offi-
ne fuisse. Con-
stiti formula &
ratio apud Danos
adhibet obiter,
qui vultis sed lin-
gua hominum so-
lenter excipere.
The Gammel
Ogth. id est, hoc
vetulum Jumen-
tum sileti dicere.

Sect. 3.

And makes his
Brother *Aribes*
King of *Aqui-*
tain.

matters, took occasion to be revenged upon *Brunnif*, but was so good natured, as by the Advice of the Nobility, to give his Brother a good share out of his Dominions, viz. all the Countries lying betwixt the River *Loire*, toward *Wafconia*, as far as the *Pyrenean* Mountains, covenanting with him by writing, that content with this Portion, neither he, nor any of his, should ever lay claim to any other Part of their Father's Kingdom. *Aribert* having taken Possession, chose *Tolose* for his Seat, and buckling himself to his business, shortly made it appear he was not the Man for which the Nobility had taken him. He proved exceedingly indolent, and sharp witted, and in the third Year of his Reign increased his Dominions, by the Conquest of all *Wafconia*. *Dagobert* reserving for himself the intire Kingdoms of *Auftrafia*, *Burgundy* and *Neufria*, and using the Counsel and Direction of his Tutor, *Arnulf* the Bishop of *Mez*, with other sober and judicious Persons, ordered his matters at first with great Prudence, Justice and Moderation. Into *Burgundy*, not long after his Father's death, he made a Progress, where he got great Fame by his impartial acting betwixt all Parties. But after his return to *Paris*, entertaining new Favourites, and giving ear to the Whispers and Insinuations of the Parasites about him, he began to enter into a contrary course, whereat the good Bishop discontented, and not able to obliterate the Impressions which, suiting his Appetite, the Courtiers had made upon him, with grief departed home to his See. Pretending that *Gomatrude* his Wife was barren, he married another by their Advice, *Nantilde* by Name, whom he took for free out of a Monastery. But this being as barren, it seems, as the other, or her Fruit miscarrying, he married a third, called *Ragetrude*, by which he had a Son by the years end. The Child was offered to the Font by *Aribert*, the King of *Aquitain*, so was he styled, and being baptized at *Orleans*, by the Name of *Sigebert*, when none would say *Amen* to the Prayers of the Bishop that officiated, he himself is said to have opened his Mouth and have done it, though he was not above thirty days old.

Aribert and his Son dying, Dagobert adds their Dominions to his.

Then he makes
War upon the
Slavi.

110. After this our Authors complain, that *Dagobert* forgetting all the good Lessons his Tutor had taught him, turned an open Robber of Persons and Places, both sacred and civil. Under pretence of giving to that of *St. Denis*, which he founded, he took away from other Churches, and his Lust, by gratifying it, grew so extravagant, that besides his three Wives which he maintained, both in the Title and Port of Queens, he kept a great number of Concubines. These Vices of his were but further strengthened and increased by Prosperity and good Fortune. In the ninth year of his Reign, his Brother *Aribert*, the King of *Aquitain*, dies, who having a young Son, called *Chilperick*, he staid not long behind, but, in the Opinion of Men, was sooner sent after him by his Uncle's Procurement than Nature had intended, which done he dispatched an Officer to seize upon his Kingdom and Treasures. His Coffers being now full, what with the Rapines he had made, and what by the Death of his Nephew, he took an occasion soon after to empty them, and first by the War he made with the *Slavi*. These were a People inhabiting that Part of *Pannonia*, formerly called *Pannonia Valeria*, and *Interamnia*, now appertaining to *Hungary*, lying betwixt the two Rivers *Drauus* and *Saauus*. The Roman Empire began to decay, first the *Goths* pierced into this Countrey, and quitting it upon better hopes, these *Slavi*, a Hunnith Nation, barbarous and fierce, whose Dominions extended as far as *Odesa*, and were separated from the *Saxons* only by the River *Albis*, as wrote *Helmoldus*, though others say, formerly seated upon the Lake of *Meotia*, invaded and made it their Habitation. *Slaves*, it's said, signifieth in their ancient Language *Glory*, or *Glorious*, but afterward an accident happened, which might well cause it to be taken and used in a quite contrary sense, and to denote a Man subjected to the highest degree of Servitude. For these *Slavi*, or *Vindi*, * *Vinditi*, or *Vinduli*, (for so also they were called, and from thence the place, as some think, which at this day retaineth the Name of *Vindischland*,) after their fixing in this Countrey, were conquered by the *Hunnes* properly so called, and oppressed in no small degree of misery, but with such sort of bondage as fully answered to the word of *Slavery*. First, they served them as Auxiliaries, then as Tributaries and Stipendiaries, and at last as the vilest Slaves indeed, or Bondmen; in Summer in the Field, in Winter in their own Houses, where not only they lived upon the spoil, and took what they had, but abused their Beds, lying with their Wives and Daughters at their pleasure.

III. An Offspring in this manner begotten of flavish Women, but by lording and domineering *Hunnies*, the blood of their Fathers, it seems, being predominant, and boiling in their Veins, scorned, if not the Name, yet the modern signification of

*Samo, a Gall,
chosen King of
the Sclavi.*

of *Slaves*, and being come to ripeness of Age strenuously asserted the Liberty of themselves, and the Nation, on which they were ingrafted, maintaining a long and tedious War. While this was hotly managed on both sides, it happened that one *Samo*, a *Frank*, or *Gall* by birth, of the *Senones*, being a Merchant, and following his business in those parts, was imperturbed by these *Slavi* to put himself into the Army. Being prevailed with, he behaved himself with that Valour and Conduct, that thinking none fit to rule as the most valiant, who could keep as well as get, they chose him for their King. And he carried himself so as they had no reason to repent them of their choice, being beloved at home, and terrible abroad. He espoused with the Title and Dignity their whole Interest, not sticking at Religion it self, which he exchanged for Paganism, after the manner of the Nation, marrying twelve Wives, and he so far forgot all respect for his native Countrey, and his first trade of Life, that such French Merchants as came into *Slavonia* to traffick, he spoiled of their Wealth, and caused such as made resistance, and appealed to the Law of Nations, to be put to death. *Dagobert* herewith much offended, sent one *Sicharius* as his Ambassadour, to demand restitution of the Goods, and satisfaction to Justice, for violence offered to his Subjects. Of *Samo* he demands audience, but can have none, till he puts himself into the Habit of the Countrey, and so in a disguise gets into his Presence, where discovering himself, he complains of the Injury, and demanding satisfaction, flies into reproachful Language, telling them, they were the Subjects of *Dagobert*, not only the Tributaries, but the Bond-men or very Slaves of his Master.

men or very Slaves or his Waiter.

112. *Samo*, with more temper, replied, that he was ready to comply with the King of the *Franks* in all things, not because the Nation was at all obnoxious to him, as Vassals, but by virtue of their ancient Friendship and Alliance. The Ambassador indifferently answered, there could be no Alliance nor Communion betwixt *Christians* and *Dogs*. Be it so, said the other, you are the Servants of Christ and we are *Dogs*, but remember, that *Dogs* do often revenge upon Servants what they have faulcily and naughtily committed against their Master; and therewith he commanded the Ambassador to be hurried from his presence, and out of his Dominions. *Dagobert* with the report hereof was so exasperated, that he resolved to raise a mighty Army, and subdue this malapert Nation. The *Lombards* and *Alemans* also under Conduct of *Roibert*, he procured to join with him, who demeaned themselves with that courage, that they easily overthrew the *Slavoi*, and returned home, enriched with booty, and many Captives. The *Austrasians* being now left to themselves, besieged a Fort, called *Vogelshum*, to which many of the most valiant of the Enemy had fled within their security. But they managed the Siege with remissness, that those who acted by necessity, and desperation made so effectual a Sally, that having killed many of them, the rest most shamefully ran away, leaving their Camp, Baggage and Provisions, a seasonable Prey, to the almost starved Enemy. The *Slavoi* encouraged by so unexpected good fortune, pursued their Victory, and invading *Thoringia*, and other Parts of *Germany*, subject to the *Franks* made such destruction of all places, and struck such terror into all round about, that *Dervanus*, who commanded certain Cities of the *Slavoi*, that were in the Dominion of *Dagobert*, out of desperation, revolted to them; there being small hopes of any effectual succour to be had from the King, who was now altogether enervated by his Luxurious practices.

rious practices.

113. Luxury is accompanied often with Cruelty, though seldom with true and substantial Valour. At this time there happened a contention betwixt the *Bulgari* (a People which from the Banks of the River *Volga*, had passed into the inferior *Mæsia*, and there feated themselves) and their Neighbours the *Avares*, or *Hunnes*, with whom they had joined and embodied themselves, out of which Nation their King should be chosen. To blows it came, and the Victory remained with the *Hunnes*, who dealing now with the *Bulgari*, as with absolute Enemies, many of them fled their Countrey, and humbly besought *Dagobert* to bestow on them some place to inhabit. He ordered them into *Baiaria* (or *Bavaria*) there to winter, till he might consult where to bestow them, and they were accordingly dispersed in the several Houses of the Inhabitants, whom at last, by advice of those about him, for fear, as was pretended, that they should attempt some dangerous matters, he commanded to kill them, every Householder, his Guest, with his Wife and Children. This was done according to his command, all their Throats being cut in one and the same night, as they innocently slept, only some few hundred escaped, and by one *Alicius* were brought unto the *Slavi*. About this time *Sijebod* the

f Sect. 3.

Senones, bodie
Senonais, quorum
fines quondam ita
laxi fuere, ut in
circumjunctis Tri-
cassium, Aeduo-
rum Biturigum,
Carnutun agris,
multa oppida, ip-
sos vero Medos
universos obine-
rent.

Dravus Δραυς
Straboni Δδρυς,
Ptolemaeus Drax,
Plinio vulgo Dra-
veste Læzio,
Pannonia fluvius
quem Danubius
excipit.
Savus Plinio &
Straboni Σαῖος,
sed Ptolemaeus Σά-
ος & Σαῖος,
Pannonia flumen,
in Danubium
etiam se exco-
rante, hodie Saw-
Strabo scribit
Savum in Dra-
vum influere, sed
errat.

* Aut cum dupli-
ci V Winidi ut
apud Almoimam,
lib. 4. c. 23.

A Master.

Sect. 3.

Dagobert sends
an Army in o
Spain.

the King of Spain died, and was succeeded by *Sentila*, who by his cruelty and other vices, quickly alienated the minds of his Subjects from him. Amongst them *Sifenendus* a Nobleman, more unwilling to bear his Infolvency than the rest, came to *Dagobert*, and desired his Assistance for expelling *Sentila* out of Spain. He was willing enough to doe mischief to whomsoever, and appointed the whole Force of *Burgundy* to attend him, which being noised abroad in Spain, all forsook *Sentila*, being already offended at his Carriage, and assoon as *Sifenendus* arrived made choice of him for their King. *Abundantius* then and *Venerandus*, the Leaders of the Franks, having brought him as far as *Caesar-Augusta*, where he received the Homage of the Nobility, returned home with good rewards. But *Dagobert* was not therewith satisfied, for *Sifenendus* had promised, in case the Design took, to give him a great vessel of Gold of five hundred pound weight, adorned with Gems and pretious Stones, which formerly had been presented to *Torismund*, King of the Goths, by *Ætius*, the Patritian of the Romans. *Dagobert* therefore sends back *Venerandus*, with *Amalgarius*, to demand a performance of the condition. *Sifenendus* very willingly delivered the Vessel into their hands, but in the way, the Goths having had notice of it, took it from them by force, not enduring that their Nation should be deprived of such a Monument. Therefore did *Sifenendus*, in satisfaction of the loss, pay afterward to *Dagobert* two hundred thousand *Solidi* in Silver, which he bestowed in building and beautifying the Church of St. Denis, a work which put him to very great Expence.

114. Hitherto, with the Affront received from the *Slavi*, *Dagobert* slept supinely; but at length awaking, and coming to himself, it rose upon his Stomach, and he could not possibly digest the Injury. In the tenth Year of his Reign he raised a choice Army, and himself, in Person, resolved to lead it. Having passed through *Arduenna*, the Forest, as far as *Moguntia*, or *Mentz*, and being now ready to pass the *Rhine*, the Saxons, though Tributaries, and in perfect Peace with him, yet fearing the Approach of so great a force, came and offered their service for the chastisement of the malapert *Slavi*, professing themselves ever to be at his Devotion, and without an expectation of Reward, onely they desired that he would remit the yearly Tribute they paid, of five hundred Cows, called *Vacca Inferendales*, which Petition he granted, by advice of his Counsellours, on this condition, that they should, for the time to come, faithfully protect these Borders of his Dominions. Oath hereof was made (as they were wont to swear) upon their Arms, but was never confirmed by any Act, though they got free of the Tribute, and nothing came of this expedition. The *Slavi* therefore finding they had been more scared than hurt, the following year renewed their Incursions into *Thoringia*, which put *Dagobert* upon new Counsels, finding that those former, relating to the Saxons, had not succeeded. By the Advice of his Counsellours, he set over the *Austrasians* his Son *Sigebert*, in Name as King, but in Effect Governour, by direction and management of his two Tutors, or Guardians, *Chimibert*, the Prelate of *Campania*, or *Rheims*, and *Adalgisus*, the Major of the Palace. He assigned them a sufficient Revenue, and other things, all which he caused to be intcribed into his Testament, and sealed. Thenceforth, so long as *Sigebert* lived, by the Prudence and Industry of the *Austrasians*, all Irruptions of the *Winidi* were restrained.

115. In the twelfth Year of *Dagobert* his Reign, he had another Son born by *Nauvilde*, his beloved Wife, called *Clodoneus*, or *Fludoneus*, betwixt whom and *Sigebert*, his elder Son, by advice of his Nobles, he designed an equal Division of his Dominions. *Sigebert* he left, as now he found him, King of *Aufria*, and therefore to *Clodoneus* the younger, he assigned *Neufria* and *Burgundy*, together with the Dukedom of *Deutelenus*, which hitherto had been unjustly, as was accounted, possessed by the *Austrasians*, who, though sorely against their Wills, yet for fear of *Dagobert*, confirmed the perpetual annexion of it unto *Neufria*. In the Year that followed, News was brought that the *Vascons* rebelled, who having been found guilty of the same Crime by his Brother *Aribert*, and forced to submit to the yoke, had, after his death, despised *Dagobert*'s Orders, and infested all the Countries adjoining, with Murders and Rapine, till *Sadrangisus* being made Governour of *Aquitain*, restrained their Incursions, and caused them to keep at home. But he (whether by the knowledge of *Dagobert*, we know not, who formerly bore him Malice) was privily murdered, and his Sons being idle, or worse, and not protecting with Arms those that were guilty, were in a publick Assembly of the Franks, as *Aimoinus* tells us, according to the Roman Laws, deprived of all his Estate, which the King then conferred on the Church of St. Denis. He being made away,

The Vascons forced to beg
Peace.

Collegit Ictum
a Francie bellicis
Scitum,
quam non tamen
vel Concomit
pellare possimus.
Aimoinus, lib. 4.
c. 26.
Sicera Teutonica
vix, quamvis
moderni Franci
ea utuntur ut
Francus in Ca
tris magis: Il
comanda acc
plus habiles: So
res Francos em
clare pat deri
ve tes Italiani,
etc.
Qua Ideo, inquit
Aimoinus, infe
rendales dic
bantur: et quod
ingulis anach
torum, lib.
Et quoniam, co
cissa testamento
cuncta infri
figit mandu
vit deinceps, etc.
lib.

Sect. 3.

away, the *Vascons* thought they might renew their former Trade of Life, but *Dagobert*, as loofely as he had lately lived, would not suffer the Affront to pass uncontrolled, but gathered a great Army out of *Burgundy*, which he committed to the conduct of no fewer than twelve several Captains. They ingage in Battel with the *Vascons*, put them to flight, which done, they wasted their Countrey, and having driven them up for shelter into the Mountainous places, returned with Honour untouched, but for one Accident. *Arembertus* one of the Captains as he engaged indiscreetly, or staid too long in the Valley called *Robola*, was cut off with the greatest part of the Nobility, and the old Souldiers that followed him: But the chief of the twelve who was eminent for many Battels, *Andoenus* (or *Audonius*) the chief of the twelve who was eminent for many Battels, fought in the time of *Theodorick*, and was now held by all in chiefest Rank of Subjects, so demeaned himself, that the *Vascons* were forced to beg Peace, and Promise obedience for the time to come; whereupon he drew off his Army.

116. *Dagobert* a little elevated with his Success against the bold *Vascons*, began to confider who there were, that by the like Fault committed, had merited a suitable Punishment, which he thought himself able now to inflict by means of his lately Victorious Army. The Britains of *Aremorica* or *Armorica*, had often made Incursions into his Dominions, and as well since his coming to the Government, as before, had contrary to several Leagues and Agreements, made great Wailes and Depredations in the adjoining Countries. *Dagobert* sends to *Judicabil* their Prince (or King, as our Historian calls him) *Eligius* a Person of great Prudence and Integrity, by whom he demands Satisfaction might be made for former Injuries, or he must expect the whole force, which was coming from *Vasconia*, would be sent to fetch it. *Eligius* so wrought upon *Judicabil*, that he not onely prevailed with him to conform himself to the Pleasure of the King of the Franks, but to come with him to the Court of *Dagobert*, who then lay at the Village *Clippiacum*, where he not onely Promised an Amendment of what was past, but subjected himself and his People, to the obedience of the King, and made a perpetual Peace with him. *Dagobert* being now at his ease, and having brought to his beck all the Nations round about him, was, as is reported, bettered by his Prosperity, and, contrary to the common Inclination of Mankind, his good fortune kindled in him a Zeal after Piety and true Religion. In a place called *Bigarium*, on the one and twentieth of April he summoned a General meeting of all the Nobility and Prelates of France; to whom, and to his two Sons he signified his Intentions, to leave something to most of the Churches within his Dominions, for the Souls health, ordering that of his Testament, one Copy should be kept at *Paris*, a second at *Lyons*, and a third at *Metz*, and a fourth in his own Treasury; and charging his Sons to see his Will performed, as they should expect the same Office of Duty from their Posterity. Whether he had a Prospect of death which put him into so good a Mood, or by a true Sense of things he was brought into a due estimate of earthly Enjoyments, he died the Year following, of a Flux in a Village called *Spitrogillum* upon the River *Seine*, not far from *Paris* after he had Reigned fourteen Years. Perceiving his last hour to approach, he sent for *Ega* his Counsellour, and the Major of the Palace, and to his Care and Government recommended his Son *Clodoneus* with *Nauvilde* his Mother, desiring all the Nobility and Prelates also of *Neufria* and *Burgundy* to be assisting to them. He died on the nineteenth of January, and was with much Solemnity buried in the Church of St. *Dionysius*, or *Denis* near *Paris*, which he himself with very much Charge had built and endowed, about the fifth Year of the Emperor *Constant*, the fifth also of *Theodorus* Bishop of *Rome*, A. D. 646.

117. Hitherto the Franks had been Governed by their Kings, who though they had Ministers under them, by whom they acted; yet had the Administration still in their own hands. But from this time, the Majors of the Palace reigned in Effect, those Kings (of this Race) which followed, enjoying nothing but the Title, which may partly be attributed to this solemn Act of *Dagobert*, whereby as it were he instated *Ega* in the Government, and left a President to future times; but especially, it is to be ascribed to the Sloth, and voluptuous Life of some of the Princes themselves, who being on purpose by these their Governours, indulged in their sensual Course of Life had little Mind, and much less Ability for publick Employments. *Dagobert* being dead, *Sigebert* continued in the Possession of *Austrasia*, and *Clodoneus* succeeded to *Neufria* and *Burgundy*, being called *Ludovicus* the first, though *Clodoneus* and *Ludovicus* be the same Name, and the first Christian King of this Nation, is Consequently to be called the first; but to shun Confusion, we must

The Britains of
Armorica sub
mit.

Dagobert dies.

He is succeeded
by Sigebert and
Clodoneus his
Sons.

Robola Aimoinus
sed alius Robola
qua vocat Sola.
Andoenus alius
Clodoneus.
Vide Orbenam
in Notitia Vaf
conie, lib. 3. c. 1.

Tillis Spinarius.

Seçt. 3. with *Tily* submit to, and follow the vulgar *Error*, though some Learned men do call him *Clodoneus* the second. So were his Dominions parted, but his Treasure was all still in the hands of *Ludovicus*, or his Governours. By advice therefore of *Pipin*, who after his Father's death had betaken himself to him, and in Conjunction with *Chumberbert* the Bishop, Governed all about him; *Sigebert* sent and demanded an equal Partition to be made of it, which *Ludovicus* and his followers not able to refuse, all the Wealth was brought forth, and by *Ega* at *Compendium* was weighed, and an equal division made betwixt the two Brothers, onely a third part of what *Dagobert* had got since their Marriage, was conferred on *Nautilde*. This is to be ascribed to the Justice, and Integrity of *Ega*, who indeed was a very worthy Person, and however he was accused of Covetousness, by such as are never suffered with any in Authority, demeaned himself with all uprightness, and procured such things as had been by violence, and without any right taken away by *Dagobert*, to be restored to the right Owners.

118. But to the great loss of the King, in the third Year of his Reign, *Ega* dies of a Fever, and *Erchinoaldus* the Kinsman of *Dagobert*, by his Mother is advanced to his place of the Major of the Palace; a Man given to Peace, of a modest Temper, and exceedingly beloved; things under his Circumspect eye went very well, till by the means of *Nautilde*, who rightly thought it the Interest of her Son and the Nation, not to have too much Power invested in one Man, troubles began unfortunately to arise. Going with him to *Orleans* the Metropolis of *Burgundy*, where he received the Acknowledgments and Homage of the Nobility and Clergy, he procured one *Flancatus* a Frank by Birth, to be made Major of the Palace for that Kingdom, giving him in Marriage *Ragnoberta* her Niece. *Erchinoaldus* and he joined together, and kept all France in very good Order, administering Justice with all Impartiality, till one *Willebald* a Patriarch of the parts beyond the Mountain *Jura*, a Man of great Nobility, and as great Wealth began to stomach, and take it in great scorn to be subject to him, and obey his Orders. He gave sufficient Demonstrations of his disdain, but *Flancatus* took no notice of it, and went with *Clodoneus* to the General meeting held at *Cabilonum*, whither *Willebald* followed with so great a Train as seemed to threaten a War, or some great design he had formed in his Head. Yet would not he enter the Palace, knowing what advantage his Enemy might there have against him, which *Flancatus* perceiving, went toward him with intention to kill him where he was, but he was diverted by the advice and Intreaties of *Amalbert* his Brother, though onely resolved to defer the Revenge, and wait some more convenient occasion. This was given him within a little time: *Nautilde* the Queen dying this Year, whom they buried in the Church of St. Denis by the King her Husband.

Nautilde the Mother of *Clodoneus* dies.

119. She being buried, he carries the King from *Paris* to *Autun*, accompanied with *Erchinoaldus* and several other Noblemen, where a Summons is sent for *Willebald* speedily to appear: He suspects the matter, and not daring to disobey the King's Commands puts himself upon the way, but with a strong band of Men, and a Messenger meets him, to persuade him to hasten to his Prince his Preference, and to Promise him all security, both in coming and returning. He holds then on his Course; but to make all as secure as he could, he sends before one *Agilasse* a Bishop, and *Wisco* a Count, to discover how matters stood, and to give him speedy Intelligence. But *Flancatus* causes them to be secured as soon as they had entered the City, and then with a strong party hastens out against *Willebald*, who encounters him, and makes stout opposition, but is slain manfully fighting at the Head of his Troop, and his followers killed or put to flight. *Flancatus* having plundered the Camp, returned to the Court, but the next day left *Autun*, and went to *Cabilonum*, where he had not staid two days, but the Town hapned to be on Fire, which it seems kindled such a Fever in his Veins, that being carried by Boat down *Araris* to *Dijon* there he died, and so had but small time as well as any real cause to rejoice in the Revenge he had taken upon his Adversary; so went matters in *Neufria* and *Burgundy*, through the Minority of the King, and the too great Power and Interest of a particular Subject. In *Austrasia* things were not in a much better posture, occasioned by the Death of *Pipin* the Major of the Palace, who left a great misfortune to the People. He had a Son called *Grimoaldus*, a Person of great Courage and very active, who for his Father's sake was in high Favour, both with Prince and Subjects, and he worthily seemed to appear as a Candidate for his place. But there was in the Court one *Orbo*, who by his Familiarity with *Sigebert* (whose Attendant and Play-fellow he had been in his Infancy) thought

to

to obtain the Office, and having ever before emulated and hated *Grimoaldus*; now he shewed it openly, and made all opposition he could against him. But the Fame and Reputation of old *Pipin* prevailed, and though he could not now expell him the Court, yet *Grimoaldus* procured him afterward to be slain, and succeeded his dead Father in his Employment.

The *Thuringians* rebel against *Sigebert*.

120. *Grimoaldus* being settled in his place, *Sigebert* the King engaged himself in War upon this occasion. *Rodulphus* the Prince of *Thuringia*, having been formerly a Vassal and Tributary to this Kingdom of *Austrasia*, now despised *Sigebert*, and contracting a strict League and Alliance with the *Sclavi*, denied obedience. *Sigebert* taking this in great disdain, levied a strong and numerous Army, and therewith having passed the *Rhine* gave Battle to *Faro* the Captain of the *Thuringians* and quite defeated him. *Rodulphus* upon this retires to a strong Fort on the top of the Mountain, and *Sigebert* follows and closely besieges him, with intentions to take him, and put an end to the War. But a Council being called to deliberate what Course should be taken, some, and those the better sort were for storming the Castle; others, amongst whom were *Grimoaldus* and *Adelgisilus*, were for delaying the thing, and drawing out the matter into a tedious Siege, and accordingly while the other party was ready to set upon the Fort, they withdrew to their Camp, and there fortified themselves, having the King with them. *Rodulphus* all this while was not asleep, nor wanted Intelligence: By some Fugitives understanding what difference there was risen amongst the Besiegers, he took his best advantage, and fell upon them with such Execution and Success, that he put them all to flight that survived the great slaughter which he made, and forced the *Austrasians* remaining with their King, to accept of his Service and Obedience as it had formerly stood, which indeed signified as good as nothing; he being in Name a Tributary, but in reality an absolute Lord and Independent of any other. After this, *Sigebert* spent the rest of his days in Peace, but wanting Children lay open to the Arts and Projects of his Major of the Palace, who persuaded him to adopt his Son *Ildebert* by Name, to which he was drawn, partly by Inconsiderateness, and partly by that Respect, if not awe or fear which he bore to the Name of *Grimoaldus*. But after his Adoption was over, the King had a Son born, whom after his Grandfather he named *Dagobert*, and died not long after he had Reigned ten years. *Sigebert* being dead, *Grimoald* shaved the young Child for a Monk, and delivering him to *Dido*, the Bishop of *Poitiers*, who was travelling into *Scotland*, proclaimed and maintained his Son *Ildebert* for King.

King *Sigebert* dies.

121. This was for a little time, but then the Nobility of the Franks taking it in high disdain to be subject to one of his Condition, rose up in Arms, and seizing on *Grimoaldus* brought him before *Clodoneus* the King at *Paris*, by whom he was Sentenced to death as a Traitor, and Execution accordingly was done upon him in a severe manner. *Clodoneus*, or *Ludovicus*, from a Prince of good hopes fell into the great displeasure of the People, giving up himself to all Excess of Gluttony, Wine and Women, for which nothing can be pleaded in his excuse, but that toward his latter end he was crazed in his Brain, onely our Authors were Church-men or Religious Persons, and upon that Account they bore him no Good Will for some Reasons, we shall discover in their proper place. He Reigned sixteen Years, and by *Baltide* his Wife a Saxon by Birth, both a beautiful and Vertuous Person; he had three Sons, *Clotair*, *Childerick*, and *Theodorick*, whereof the Estates proclaimed *Clotair* the eldest King in his stead, and made his Mother Regent, or rather joined her in the Administration with *Erchinoald* the Major of the Palace. Matters seemed now to be in a settled Condition, when to the mischief of France, *Erchinoald* dies, and after a great Contest, his place is conferred on one *Ebroinus*, a Man of neither Conscience nor Honesty, who for a while covered his Inclinations and Designs by Dissimulation; fearing the Queen, and not altogether secure of the young King's Favour. But the King dies, when he had scarcely Reigned four Years, and by his Death gave occasion to the Major of the Palace, to bring about what he had designed. The Nobility and People were for *Childerick*, the second Brother to succeed, but he found the youngest most for his purpose, and in despite of them preferred him to the Title: *Childerick* being sent as King into *Austrasia*, under the Tutition and Conduct of *Vulfoaldus* a Duke. But the Nobility could not swallow this Indignity. They rise in Arms, and laying hold on *Theodorick* cut off his Hair, and depose him; and as for his Minister *Ebroinus*, they shave him too, and put him into a Monastery. Then send they for *Childerick* out of *Austrasia*, and with universal Applause they make him King. But they did

Clodoneus dies.

Clotair succeeds.

Who dies.

Theodorick being shaven.

Childerick is made King.

E e e z

not

Seçt. 3.

Seft. 2. not their Work for all this: They had not made sure enough of *Ebroinus*. And as for their new King, he fell into all sorts of Debauchery, and so Proudly and Tyrannically demeaned himself, as gave them cause rather to repent of what they had done, that they had made such a choice, as did not in the least answer their Expectations.

122. For some time yet things were kept from extremity by *Leodegarius* the Bishop of *Autun*, whose Wisdom and Sanctity struck some Reverence into the King, so as he ran not to such Excess of Riot, as else he would have done; and gave such force to his Words, as made them prevalent to keep the Nobles in their Duty and Alliance. But he being quite tired out, withdrew from Court to his own See, and then, as if the Bank or Fence had been removed, a Deluge of mischiefs broke in, and bore down all before them. The Debauchery, Pride, and Tyranny of *Childerick* increased, and with them the disdain and Impatience of his Subjects. One of the Nobility *Bodilo* by Name, he caused to be tyed to a Stake, and beaten like a Slave for some frivolous matter, which put them into such a Rage that they conspired against him; but *Bodilo* prevented all other Designs, by meeting him in a Wood, as he was diverting himself with a very small Train, and there killing him; which done, he cruelly Murdered *Bilitilde* his Queen, though great with Child. *Childerick* being thus made away, they pull *Theodorick* out of his Cell, and restore him to his former Estate. *Leudegarius* the Son of *Erchinoald* they make Master of the Palace, by the advice of *Leodegarius* the Bishop, and *Gerinus* his Brother, and this they do in haste to prevent the recalling and Restitution of *Ebroinus*, towards whom they had ground to believe that the King's favour still continued. But *Ebroinus* resolved to render this Policy unsuccessful, and though there was not means left to out-wit them, yet to do that by force, which Cunning and Art could not effect. He casts off his Cowl, abjures the Monastical Life, and gathering together a multitude of his Friends sets upon the Court, overtakes the young King at *Carisiacum*, after he seized his Treasures, and taking upon him his former Employment, kills *Leudegarius*, tortures to death *Leodegarius* the Bishop, with *Gerinus* his Brother, and having put to Death many others, banishes the rest, and Confiscates their Estates. This done, he permits *Theodorick* to enjoy his Life with the Title, but usurps the whole Power and Authority over the Kingdom.

123. In the mean while *Austrasia* was governed by *Vulfoaldus*, who after the Death of *Childerick* had fled thither, and he dying soon after, by *Martin* and *Pipin* the Sons of *Ansegisilus* a Noble man. They had not been long in Power, but they began to consider the Greatness, and demeanour of *Ebroinus*, and as well for prevention of mischief intended toward themselves, as to yield to the Importunity of the *Franks*, who groaned under his Tyranny, levied an Army with resolution to bring him to Condon punishment. They marched toward him, and he being aware of their Design had made good provision for a Battle, wherein he defeated them after a great slaughter on both sides, and they fled for their Lives; *Pipin* into *Austrasia*, and *Martin* to *Laudanum*, where he fortified himself, which *Ebroinus* hearing sent and invited him to Court, promising him not only his Life, but other matters of great Consequence, but could not overcome him without the Strategem, he was wont to use in all other Cases: He caused Oath to be made for his Security, upon the Relicks of some Saints, as was imagined, but there were in Truth no Relicks there, only empty Coffers; and therefore accounting this no Oath, he Circumvented *Martin*, and caused him to be Murdered with all his followers. Being now as he thought pretty secure, he had leisure to meditate what farther Course he should take, for gratifying his Ambition and his Cruelty. There was one *Ermenfrid* a *Frank*, who was a great Eye-sore to him, and he resolved to remove him out of the way, which being made known to him, *Ermenfrid* resolved to begin with him, and preserve his own Life by the Death of his Enemy; at the worst, he could but perish. He was so prosperous in his Enterprize, that rushing upon him when he least thought it, he easily killed him, and not well assured of impunity for the Fact, fled to *Pipin* into *Austrasia*.

124. He being Dead, the *Franks* with the King's Consent, made choice of one *Wario* to succeed him, who for securing his Employment made a strict Alliance with *Pipin*, from whom he received Hostages for his Faith and Sincerity. Thus was he secure as to matters abroad, but in his domestic Affairs was very unhappy. He had a Son called *Gislemar*, a young Man of a furious Spirit, impatient of quiet, and as undutiful as could be imagined. He takes the Reins out of his Father's hands, and will needs manage the Kingdom. He breaks the Alliance made with *Pipin*, makes

Childerick is slain, and *Theodorick* restored.

Civil Wars at home.

makes War upon him, brings the Kingdom into great troubles and inconveniences, but for his undutifulness, and other Sins, as our Authors observe, was smitten by God Almighty, and called to give an account in another World. He being removed, his Father reassumed the Government, and managing matters very calmly and prosperously, died after some time, leaving behind him *Ansegisilus* his Wife, a Woman very Nobly descended, and of very great Parts. She procures *Bartarius* her Son-in-Law to succeed him, one that was as mean in his Intellectuals as he was in his Person and Stature, to which, though the *Franks* at first consented being it seems surpris'd, yet afterwards considering how bad a choice they had made, they fell into a Mutiny, of which *Pipin* takes advantage, and invades the Kingdom with a great Army and such success, that he defeated *Bartarius* in Battle, and forced both *Theodorick* the King and him to run for their Lives. Yet did he use this Victory moderately, for no harm do we hear that was done, but *Bartarius* not long after was slain by his greatest Flatterers, and that through the instigation of *Ansegisilus*, who was ashamed he had preferred a man so despicable. He being gone, *Pipin* was sent for out of *Austrasia*, and made Major of the Palace, the whole Government of the *Franks* being now in his Hands. But he judged it most for his interest to reside in *Austrasia*, and therefore left one *Nordebert* as his Deputy with the King, and returning, of the two Sons he had by his Wife *Pletrude*, viz. *Drocs* and *Grimoaldus* he made the former being the Eldest, Duke of *Campania*.

125. *Theodorick* at length Dies, after he had Reigned some say nineteen years, some almost three and twenty, and others no fewer than twenty eight. He left by *Clodoilde* his Wife two Sons, whereof the Eldest though a Child *Clodoveus* by name was King in his stead, but died after four years, and *Childebert* his Brother succeeded in his Title being very hopeful. Shortly after *Nordebert* also leaves the World, and then *Grimoaldus* the younger Son of *Pipin* is made Major of the Palace. *Pipin* having thus the whole power of the *Franks* in his hands, and secure at home, relolved by his Victorious Arms to make himself terrible to his Neighbours. He first set upon the *Frifis* an ancient people of *Germany*, situate upon the Ocean beyond the *Rhine*, the Prince of whom *Radobod* a Pagan he overthrew in Battle, which done, he subdued the *Suevi* and other sorts of People, of which our Authors have not left us so much as the names, so negligent were they in Writing, what their Ancestors were so industrious in performing. But the joy and triumph of *Pipin* for these publick felicities were within some time interrupted by Domestic sorrow. *Drocs* his Eldest Son departing this World without Issue, and he himself falling sick not long after, his other Son *Grimoaldus* coming to visit him was Murdered by *Langarius* a Pagan and attendant on *Radobod*. *Grimoaldus* Married the Daughter of this *Radobod* the Prince of the *Frifians*, but by her had no Children, and only one Son by a Concubine named *Theudoaldus*, with his Grandfather procured to succeed in the Office of Major of the Palace. In the mean time *Childebert* dies, A. D. 718. after he had Reigned thirteen, some say seventeen, but others say twenty years, a Prince both of good Morals and Intellectuals, however rusted over by idleness, and clouded by the extravagant Authority of the Majors of the Palace. He left a young Child called *Dagobert*, who succeeded to the naked and empty title of King.

viz. *Margardus* Frateris cum aliquot Annorum Accessione. *Auctor* vixit *Margitus*. *Lathario* imperante *Rabani* Mauri aev.

126. At length *Pipin* having been King in effect, or King of those Kings for the space of seven and twenty years and an half, as *Aimoinus* computeth, breathes out his Soul in the heats of a very acute and brisk Fever. He being dead, *Pletrude* his Wife had the courage to seize upon the Government, making use of the names of King *Dagobert* and *Theudoald* her Nephew the Major of the Palace. The *Franks* either surprized or to trie conclusions, for some time were silent, not disdaining to be commanded by a Woman, and the so ordered her matters as by one means or other to keep them in obedience. Having as the imagined settled her self in the Government, she began (as well the might, being very old) to think of Death, and how to establish her power in the hands of her own Relations. Her Husband by another Wife, (rather by a Concubine,) had a Son called *Charles*, a Man excellently qualified for the greatest business, the more therefore she had him suspected, and

Seft. 2.

Spulcrum *Aure-*
bathus in aze
Vedasti ubi ex
ruat at *incipit* in
antiquum. *Lepi-*
dum *eloqio* *ap-*
paret *uorum* *illi*
fuisset *Dudum* *no-*
mine, *sic* *enim*
habet.
Rex *Theodoricus*
ditans *ne* *veras*
amicas.
Non *ope* *multius*
da, *juet* *hic* *con-*
spicue *Doda*,
Vide *plura* *apud*
Populium *Magis-*
tem, *p. 83.*

Aimoinus *ex* *An-*
nelles *ab* *Ann.*
714. *Ufque* *ad*
Ann. *83*. *ab* *An-*
no *sed* *versus*
Auctore *scripsit*
ex *a* *Petro* *Pi-*
thas *editi* *vnde*
quidam *Anna-*
les *Frifianis* *di-*
ant. *Sed* *ex*
dem *trivis* *Anna-*
lium *Paldenium*
recandens *cura-*
re

Aimoinus *posuit*
ann *Principum*
appellat.

De *ex* *se* *Aimoi-*
no: *Habuit* *go-*
que *prae* *frat-*
cept *Pipin* *filii*
non *ex* *alia* *uere* *nomine* *Carolus* *Virum* *elegantem*, *egregium* *atque* *pietum*. *Plerique* *tamen* *cum* *spiritum* *aperit* *dicunt* *qui* *mater* *fuit* *Al-*
dois *conobis* *que* *Pipin* *Hereditas* *perierit* *etiam* *Childebrandum* *patrem* *Nephegi*: *qui* *Nephegi* *Hereditas* *christian* *namque* *vixit* *Ed-*
mundus *us* *Reverentius* *in* *his* *His*, *Burgundia*, *L. 2. c. 1. tradit*. *Apud* *vari* *denum* *passus*, *Opti* *in* *Gallia* *Francia* *Nonferius* *fratit*, *in*
reque *in* *credidit* *uenerit* *vnde* *delicta* *claus*, *et* *Augustinus* *Canonicum* *Collegium* *inchoavit*, *Miram* *in* *Chron. Belg.*
this

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this jealousie added to the usual passions of a Stepmother, so far transported her as to lay hands on him, and commit him to close Custody. But thence rose her Troubles, whence she promised her self the greatest security. As well as she thought she had ordered her matters with the people, and secured their fidelity, such as either had been disoblged by her Husband, or were now tempted by their own ambition began to repine first, and afterward openly to declaim against the present posture of Affairs, and in conclusion, raised such tumults as procured a War wherein her party was born down, *Theodald* hardly escaping with his Life from a Battel, fought in the Wood called *Cocia*. Hereupon the Victours despising his Title, chose for their Major of the Palace one *Reganfredus*, and entering into an offensive and defensive League with *Ratbode* the *Prifian*, they invade *Austrasia* with a great Army, waſting all things as far as the *Meuse*, while *Pletrude* keeps her self close in *Coloine*.

Who dying Daniel or Chilperick is ſet up.

127. Not long after dies *Dagobert*, after he had Reigned some five years, leaving a Child behind him who was Nurfed in a Monastery. The *Franks* waved him because of his Age, and gave the Title of King to one *Daniel*, a haven Clerk, whose name for greater grace they changed into *Chilperick*. *Reganfredus* still thought it his interest to weaken, and if possible, to destroy the remainders of *Pipin*, his interest and power in *Austrasia*, and for that purpose levied another Army. But he presently found he had not to deal with a Woman only. There was a Youth sprung from the Loins of *Pipin*, who had so much courage as to bid him defiance and strenuously to maintain his Father's cause against all opposers, even *Charles* whom we lately mentioned, who proved the *Achilles* of the *Franks*, and the *Mars*, or rather if you will the Marteau or Hammer of all their Enemies. He had escaped out of Prison, and wound himself out of the hands and devices of *Pletrude* his Father's Wife, which having done, he could not be idle nor suffer the Enemies of his House to doe their pleasure without resistance. He raised an Army, and made Head against them, but it was his fortune to be bred a perfect Souldier, and therefore he must lay the Foundations of his Military excellencies in adversity, being in the first engagement defeated, and forced to run and shift for his Life. The Enemy encouraged by this success, and smiling at the attempts of this young Adventurer, renewed their Hostilities, and the second time carried their Victorious Ensigns as far as the *Rhine* and *Coloine*, destroying all things in their passage, and forcing *Pletrude* to redeem the liberty of that City, and her own Life with a vast Sum of money. Yet did *Charles* lie in ambush, and setting upon them as they returned, loosely and without all care of Order or apprehension of Danger, made great slaughter of them in their retreat, at a place called *Amblana*. This they looked upon only as a misfortune, altogether accidental, and far from the product either of Valour or good Conduct, and therefore to chastise him who durst offer such an indignity to the King of the *Neustrians*, they make new levies and oblige *Charles* to trie his fortune, and shew his prowess the second time. He offered them good terms, and desired to compose the difference betwixt the Kingdoms, but they were bent upon a Battel, as not doubting to put an end to his Life, his boldness and the War altogether. But in the Battel (which was fought at a place called *Vinciacum* the Lord's day before Easter,) they were defeated, and Victorious *Charles* after he had pursued the flying Enemy as far as *Paris*, remembering he had an Enemy at his Back, returned and besieged *Pletrude* his Stepmother, as some call her, in the City of *Coloine*.

128. He had no passion in him, which tempted him to destroy or deface the Town, and therefore set upon it with arguments and good Language, whereby he so won upon the Inhabitants, that notwithstanding all the opposition he could make, he had it delivered up to him, and therewith his Father's Treasures which were great at his Death, but were now much increased by her parsimony and scraping. Having dismissed her with expostulations only and rebukes, for the humour the bore of a true Stepmother, he began to consider how to establish himself, and finding his interest too weak, either to assure the Title and Government of a King both together, or the Power and Authority without such a Title in some Person, he complied with the humour of the times, and as in *Neustria* they had such an Image they worshipped, so in *Austrasia* he set up the like Idol, giving the name of King to one *Clotair* descended of the blood Royal, but how, and in what degree we find not expressed. The *Neustrians* now perceived they had no Fool to deal with, but so far as his Authority was but green and fresh, they concluded it was to be suppressed, before it should arise to maturity, and knowing he was not

Clotair made King in Austrasia.

A. D. 123.

Annal. Pii. Aimsia.

Vinciacum fœd. Cameracensis. hodie est villula vulgo la cœse de Vinos, ad Albiacum Sancti Auberri Cameracensem pertinet, sua prope Gregoriæ un oppidum.

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to be despised, they strengthened themselves with the accession of *Eudo* the Governor or Duke of *Aquitain*, who not only commanded the *Vascons* that had broke into this Country, but having governed the bordering Regions of the *Polce* both inferior and superiour, for the King of *Spain*, when the interest of that Crown went to wreck, had repelled the insolence of the victorious *Saracens*, and now held them in his own Right. He was willing enough to engage in the Controversie, though it had been for no other reason than to divert the *Franks* from the incroaching *Vascons*, and to cause them to spend their fury one upon another, joyning therefore with *Erganfredus* they began their march, *Charles* was aware of their coming, and would not so far gratify either their Ambition, or discomage his own men, as to suffer them to pierce into the Bowels of *Austrasia*, and make that the Seat of the designed War, but met them and gave them Battel with such industry and Conduct, that he routed their Army, and forced them to flee to *Paris*, whence *Eudo* carried the King *Chilperick* and his Treasures with him as far as *Orleans*, and thence by degrees returned into his own Country with great difficulty, *Charles* still pressing him at the very heels.

Clotair of Austrasia dies.

Chilperick of Austrasia dies.

Theodoric Cala made King of Austrasia.

129. He being got safe home, *Charles* thought it not prudence by an Invasion, too much to provoke those Warlike Nations which he ruled, especially at this time, when he understood that *Clotair* whom he had advanced to the title of King was lately Deceased. That he might not want another mock King, to keep the People in good humour, (which could not be without the diversion of such a Pageant,) and to be a Rival to the like mock Prince, *Daniel* or *Chilperick*, he indeed thought it best to retreat, but yet in his passage thought fit to set upon *Audeganum*, whither *Erganfredus* had betaken himself after the Battel. He took the City, and therein his Enemy, whom all men expected he would dispatch out of the way, not only out of desire of Glory as his *Amulatour*, but out of a principle of self preservation, and from the immediate Dictates of natural Policy. But his Heroical Disposition, and his innate Generosity and Courage, being inconsistent with all dark Clouds of jealousy and fear, he not only gave him his Life, but the Government of that Town wherein he took him. Shortly after this he made Peace with *Eudo*, receiving from him *Chilperick* the King, though not all his Treasures. *Chilperick* died not long after, in the sixth year of his Titular Royalty, which caused *Charles*, for that the temper of the times so required, to fetch the Son of *Dagobert* out of the Monastery of *Cala*, where we said he was bred, and to give him the Honour of King, which he bore by the name of *Theodoric Cala*, this addition for Distinction sake being given him from the place of his Education. He either through the arts of *Charles*, usual to all the Majors of the Palace, or his own dull and slow disposition, gave himself up to sloth and idleness, not regarding any thing tending to Government. Therefore *Charles* having now in his hands the whole power of the *Franks*, and being secure at home, cast in his mind how he might obtain glory and renown by foreign Conquests.

Hodie Clotair in agro Parisiensis, A. D. 129.

The Saxons reduced to obedience.

The Country of the Alemans, Suevi and Bavaria visited by the Franks.

130. His first adventure was against the *Saxons*, whom e'er they could perfect a designed Revolt, he surprised and forced to return to their former obedience. A year had icarely passed after this Victory when he was called into *Germany*, where work was made for him by *Pletrude* his Stepmother, whom with *Sinichilde* her Niece, he had dismissed after the Siege of *Coloine*. Carrying with her her old universal hatred, (which an act of so great generosity as he had shewed toward her could not diminish,) into the inner parts of that Countrey; she stirred up the several Nations against him as a Bastard, who had banished his Father's true and legitimate Wife in her old Age, to beg her Bread in a strange Land. She fo moved the hearts of the unwary Multitude, that *Charles* perceived there was a Storm impending, and to drive it off from his own door, resolved to pass the *Rhine*, and suppress them e'er they could be quite prepared. Without much labour he effected this upon the *Alemans* and *Suevi*, and passing as far as the *Danow* up the Countrey, waſted *Bavaria*, and besides many others, with rich spoil brought *Pletrude* and *Sinichilde* away Prisoners. Such were the beginnings of *Charles*, which being Crowned with success, inabled and prompted him on to greater matters. *Eudo* repenting it seems of the League and Alliance he had made with him, out of confidence of his own strength, and the assistance he could procure out of *Spain*, utterly renounced it, which as soon as he perceived, judging expedition the greatest advantage in all performances, he thought it requisite to begin first, and passing the *Loire* speedily invaded *Aquitain*. *Eudo* either surprised, or to let the heat of his fury abate, retired into the most fortified place he had, and suffered him to harass the

De Pletrude nihil aliud nisi quod vira a Carolo accepta de manu suam impoluit et sequela est Colonia scriptura xii tumulus ejus visum sic inscriptum: Legali thalamo Pletrudis juncta Fignis Drigem gravit, magnanque ducem Grimaldum.

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the Palace, (which he himself seems to have used,) yet such was his Government, and so renowned his Actions, which concerned War, that Posterity gratefully looks upon him as worthy of any Appellation that words (which ought to express things as emphatically as may be) can confer upon him.

Episcoporum Ultrajectorum habet hoc subscriptiones: signum Illustris Viri Caroli Majoris Domus. S. Carolomani filii eius, &c.

*Carloman Go-
vernour of Au-
strasia, &c.*

*Pipin in Burgun-
dy and Neustria,
&c.]*

*Who subdue all
their revolting
Neighbours.*

140. He left several Children, both legitimate and illegitimate, behind him. By *Suanchilda*, the Niece (or Daughter) of *Odilo*, Duke of *Baioaria*, he had *Carloman*, *Pipin* and *Gripbo*; by others, we know not whom, *Bernard*, *St. Remedius*, *Altu* *Ægidius* (Archbishop of *Roan*), *Hierome*, *Ælfrude*, (or *Altrude*), the Wife of *Odilo*, Duke of *Baioaria*, and *Landrada*, married to *Sigiramus*, or *Sigiramus*, a Potent Man in *Flabania*. Before his death he disposed of the Dominions of the *Franks* (by consent of the Nobility) to some of them, in this manner. To *Carloman*, his Eldest Son, he assigned *Austrasia*, with *Thuringia*, or the Nations inhabiting beyond the *Rhine*, sturdy and active People to a stout and resolute Person; and to *Pipin* *Burgundy*, *Neustria*, *Provence*, or the other parts of *France*, Nations more soft and gentle to a suitable Nature. His other Sons he passed by, whether as spurious, or for other Reasons, we know not, but the indignity would not down with *Gripbo*, whose Mother (*Suanbilde*, some say, the Mother only of him and *Ægidius*), was as impatient as himself, and seeing he was not admitted as a sharer, persuaded him to push for the whole Inheritance. They were both more forward than wife, and he so fool-hardy, as without any considerable preparations, to break out into Rebellion, and to seize on the City *Landunum*, which he slightly fortified, as the shortness of the time and opportunity would permit him. For the two Brothers, upon notice given of his Revolt, speedily raised a considerable Army, wherewith they laid Siege to the Town, and within a while obliged him to surrender and yield himself to Mercy, without any terms or conditions whatsoever. This danger was thus happily over, but the Brothers had their handfulls elsewhere; for those People that, living upon the Borders, had by the victorious Arms of *Charles* been subdued, and forced to submit to the yoke, upon his death resolved to withdraw their Necks, and, as they judged, with security enough, concluding, that though he had left his Power and Dominion to his Children, yet scarcely his Fortune, at least, not his Courage and Dexterity in War.

141. Amongst the rest *Hanoldus*, the Son of *Eudo*, bore himself very high, having, while *Charles* was yet living, began to practise a Revolt, and held *Landfred*, the Abbat of *St. Germans*, who was sent to persuade him to desist, as an Enemy, and a Spie, many months in Prison. The Brothers resolved to reduce him betimes, e'er he rendered himself too considerable; and when they were ready to march, to prevent mischief in their absence, by advice of *Carloman*, they committed their Brother *Gripbo* close Prisoner to a strong Castle, near the Forest *Arduenna*. They invade *Aquitain*, and having taken a certain Castle, called *Lucas*, presently obliged their Adversary to come in, and submit to Terms, which were, that with the Title of Duke he should hold *Aquitain* as a Tributary to the *Franks*. This danger being also over from without, to prevent all Jealousies and Misunderstandings betwixt themselves, e'er they quitted this Province, at a place called *Vetus Putavis*, they parted the Territories of the *Franks*, according to the Prescript left them by their Father. Each then departing to his own Post, *Carloman* invaded the *Alemans*, who had lately revolted, and wasting their Country with Fire and Sword, reduced them to obedience, which done, they jointly set upon *Odilo*, the Duke of *Baioaria*, who renouncing obedience, had usurped the Title of King, and taken their Sister *Ælfrude* to Wife without their consent. They so managed the War, that they made him ask pardon and leave to retain his Wife with *Baioaria*, not as an absolute King, but as a Tributary Duke. This done, *Carloman* invaded the *Saxons*, who, upon his Father's Death, had also renounced obedience, and having taken the strong Castle, called *Hofeburg*, forced *Theodorick*, their Captain, to crave Peace. This, upon reasonable Terms, was granted; but no sooner was *Carloman* withdrawn, but he defied the *Franks* as formerly, which obliged the Brothers once more to unite their Forces, and jointly to set upon him, which they did to such purpose, that they speedily wrested from him another Recantation. Yet did he this second time obtain pardon, it being hard to say whether the Love and Union, or the merciful Disposition of these two Brothers was most remarkable.

142. Thus

*Diploma domini
nis fide mone-
reio ceditam
Treptino rras
restitutio de Ho-
da in Hfforia*

*Landunum (by
die Lan en Pi-
cardie) oppidum
Veromandorum.*

Lacher.

Leucl Pöflier.

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142. Thus flourished these two Sons of *Martell*, as Successors to his Conduct and Fortune, as well as his Arms, when in the middle of their Glory a thing happened so strange, as struck the whole World with admiration. This was, that a Man, a young Man, in the flower of his Age, a Major of the Palace, or rather a Prince, a King, amongst his Pleasures, Conquests and Triumphs, when he had no reason to be melancholy, but to be contrarily affected with his Condition, that such an one should exchange his Robe of Estate for the Cowle of a Monk, and the Wealth and Glory of a Kingdom for the Poverty and contemptible Estate of a Religious Beggar. But so did *Carloman*, and having given up all into the hands of his Brother, no otherwise than as about to die, (as all due to the World, that take upon them Religion, in which respect, before their entrance, they make their Testaments,) he went into *Italy*, and there took upon him the Monastical Habit, which, with extraordinary self denial and hardship, (though considered otherwise than as the Son of *Charles*;) he is said to have retained to his dying day. Such was the temper of *Carloman*, but *Gripbo*, though his Brother, was nothing at all of his Opinion; for being by the favour of his Brothers set at liberty, and living in very good Equipage with *Pipin*, he could not therewith be satisfied, nothing on this side Sovereignty could content him. He made his escape, and went to the *Saxons*, whom he knew to be inclinable to Troubles and Rebellion, that he could easily persuade them to make a War. And for a War they made preparation, putting an Army into his Hands, who incamped himself upon the River *Onacra*, expecting his Brother. *Pipin* did not much deceive his Expectations, but hastened with formidable Forces into *Saxony*, whither when come, he so wrought upon the affections of the young Man, as well as those that assisted him, that Pardon being granted for what was past, they laid down their Arms, and *Gripbo* was as kindly received, and liberally entertained by his Brother as formerly. But here his Ambition could no more terminate it self than heretofore. *Odilo* his Brother-in-law was dead in *Baioaria*, having left a young Son, *Tassilo* by name, to the Tutition of his Wife *Ælfrude*. Thither he goes, and being by his Sister kindly received, in way of requital, turns her and her Son out of all, and usurps the Government. *Pipin* having notice hereof, was more enraged at this base Act, than at any thing formerly he had committed, and with a very great Army invades the Countrey, deposes *Gripbo*, and returns the Government into the Hands of his Sister, for the benefit and behoof of her young Son the Duke; yet deals he no more severely with his unruly Brother than formerly. But coming back into *France*, strives to win him with kindness, making him a Duke, and according to the custome, giving him the Government of twelve Counties. But neither did this signify any thing to him. He fled once more, and betook himself to *Wacfarinus*, the Duke of *Aquitain*, whose beautiful Wife, when he tempted to lie with her, had the Modesty to refuse him, with the Discretion to acquaint her Husband, who yet had no patience to endure the affront, but took his Life for reparation, though some reported, that making a Journey into *Italy*, after he was banished *Aquitain*, to provoke the *Lombards* against *France*, he was killed, as he travelled over the *Alpes*, by some of his Brother's Followers.

143. All this while here's such a noise of the Masters or Majors of the Palace, that scarcely is there any muttering of the poor Kings of *France*, for such there were who to this very time wore the Habit and bore the Title. *Theodorickus Cala* died before *Charles Martell*, though how long, amongst several Opinions, it's uncertain. Some say he died seven years before *Charles*, who governed till his death, without such an Image of Authority, so that for so long a time there was a ridiculous *Interregnum*. Then did the Sons of *Charles*, they not as yet daring to assume the Name, set up another Idol or representation of Royalty, one called *Childerick the Third*, whether the Son or Kinsman of the late *Theodorick* it's uncertain, nothing more being upon record concerning him, than that he was set up for a time, and then pulled down again, according to the Occasions and Interests of those that promoted him. Such was the condition and state of this Royalty, that no man of Parts or Spirit could possibly endure it. The Name of King, the long Hair, the Robe and Idleness were the things peculiar to it, only once a year like a Pageant he must be drawn into the City, to be gazed on, in a princely Chariot, according to the custome of these times, and afterward returned to the Village or Farm from whence he came, there to be shut up from the Eyes of the People, and the Noise of all business, while the Major of the Palace carried it like a King indeed, disposing of all things concerning Peace and War, Life and Death, and all other Rights of Majesty,

*Carloman turns
Monk.*

*Pipin sole Go-
vernour.*

*Onacra vel Ona-
cra quidem cur-
dem esse pnan-
cum Neccaro flu-
vio.*

*Grifonem more
Ducum duodecim
Comitatibus do-
navit. Annus, vi.
L. 4. c. 61.*

Annal. Pipin.

*Childerick the
third made
King.*

SeCT. 3. Majesty, as he himself pleased, without controll. The onely thing that prolonged the continuance of this Mock Royalty, was the wonderfull Zeal and Devotion the *Franks* had to the Name and Lineage of *Clodoneus*, accounting it the foulest Crime in Nature, to be guilty of the least Act of Disloyalty toward it. But the Name of *Clodoneus* now began to decay with time, and that of *Martell* was so fresh and flourishing, as had drawn all Mens Eyes and Expectations upon it. *Pipin* his Son had the whole Power in his Hands, was in the flower of his Age, was blessed with an hopefull Issue, and by his own Achievements had got such Reputation, as this, added to his Father's Name, seemed sufficient to merit the Title of what in effect he was already possessed. Besides the whole Nobility, both Churchmen and others, were, by reason of their Preferments, obnoxious to his Family.

144. These Considerations joined with the Natural temper and Inclination of Mankind to Honours, put him upon the resolution of assuming the Title, and disposing some other way with him that at the present bore it, who, that he might be punished, must needs beforehand be made guilty. He inveighs against his sloth, and the meanness of his Capacity, insists upon the grand disproportion there was betwixt the great Name he bore, and the Abilities he had to discharge the Duty, and presses it as a thing which mightily reflected upon the Nation of the *Franks*, to be thought to have such a Ruler as was not in any tolerable capacity to govern himself. The truth is, these Kings did not govern, neither possibly had abilities to do it; but who was in the fault, whether themselves, or their Grand Ministers, the *Majors* of the Palace, (the Interest of whom it was to have them idle and enervated in their minds,) there needs not much scrutiny to determine. But it's easie to trample upon such as are already down. *Pipin* insinuates these things into those Noblemen, of whom he could be most confident, and they into the People, and at length it is generally affirmed, that it is most convenient for the safety and grandeur of the Nation, that his should be the Title to whom already belonged, by Custome and Usage, the whole Power and Jurisdiction. This something satisfied their Consciences, as to the Allegiance they ought to the House of *Meroneus*, that little more damage could hereby accrue to *Childerick*, who would be despoiled of nothing but a vain and empty Title; and it was beaten into their Ears, that *Pipin* himself was descended of the same House, by *Biltide*, the Daughter of *Clotaricus* the Great, married to a certain Duke, *Aribert*, or *Arbert*. But to gain complete satisfaction and countenance to the thing, Ambassadors are sent to *Zachary* Bishop of *Rome*, to lay open these matters before him. He, without hearing the other Party, adjudgeth *Pipin's* pretensions to be very good, and sends order to *Boniface*, the Bishop of *Metz*, to anoint him King accordingly, which was done at *Soissons*, and he was carried out upon a shield, as the ancient custome was, unto his Throne; *Childerick* being thaven, and thrust into a Monastery. So here the Line of the *Merovingi*, or of those that descended from *Meroneus*, receiveth its period, in the tenth Year of *Constantinus Copronymus*, and the tenth of *Zachary* the Roman Bishop. A. D. 751.

But is soon after
thaven by *Pipin*,
Major of the Pa-
lace.

Fuit autem Chil-
dericus decessus
in Monasterio
Bertrami, ut in
Fontanellensi,
Marchianensi & Bertrami Chronici legitur.

SECT.

SECT. IV.

From the Ruine of the Royal Family of the Merovingi, and the Rise of that of the Carlovingi, to the supreme Height of its Grandeur.

From the Promotion of Pipin, the Son of Charles, to the Title of King, to the Advancement of Charles, the Son of Pipin, to that of Emperour; by the same means.

The Space of fifty Years.

Pipin King.
His Pedigree.

1. **T**His second Family which from the famous Achievements of *Charles Martell* is known by the addition of his Name, was yet joined, as we said, in Affinity with that of *Meroneus*. For *Clotair* the Great, the Father of *Dagobert* the First, married his Daughter *Biltide*, or *Blitide*, to Duke *Aribert*, to whom she bore a Son called *Arnold*. This *Arnold* was Father to *St. Arnold*, or *Arnulf*, the Archbishop of *Metz*, who, before he entred into Orders, begat four Sons, *Fendulf*, or *Ferdulf*, *Ansegisus*, or *Anchisus*, *Arnolf*, or *Clodulf*, Bishop of *Metz*, (who lies buried in *Lay*, a Village of *Lorraine*, but one mile distant from *Nancy*) and *Galifus* (or *Walchito*, or *Walchito*, or *Wandregisil*, or *Walgisus*, for all these names we meet with) the Father of *St. Wandril* (some call him *St. Wandregisil*) the Abbat. *Fendulf* begot *Martin* Duke of *Austria*, who was killed by *Ebroinus*, the Major of the Palace of *Neustria*, and *Pipin*, surnamed *Crasius*, or the *Gros*, who by *Joane* his Wife had *St. Gertrude*, the Abbess of *Nivel*, founded by her Mother, besides seven Sons, and a Daughter, married to *Ansegisus*, by some called *Begga*, and by others *Begga*, with the addition of Saint, for this is she that founded the Order of the *Beguins*, or *Nuns*, not unknown to any that have visited the *Spanish Netherlands*, and lies buried at *Audenna*, in the Country of *Namur*, in the Church of the Monastery which she herself had built. *Grimoaldus*, the Son of *Pipin the Gros*, called also *Laudensis*, being Major of the Palace of *Austria*, in the Reign of *Sigebert* the Second, endeavouring to dispossess *Dagobert* his Son of his Inheritance, that he might prefer his own Son *Ildebert* to the Kingdom, was justly put to death, and *Ildebert* was slain in the Reign of *Ludovicus*, or *Clodoneus* the First. Therefore did *Ansegisus* succeed to *Pipin* his Father-in-law, after he was slain by *Godan*, or his little Son, as they called him, to whom he was Godfather, and whom he had preferred to the greatest Honours.

Sed pro Godan erit legendum Godisun, free Godisun, ita enim appellatur Teutonicus quidam ille qui obitus est sacre hospitium.

2. *Ansegisus* on *Begga* begot *Pipin* the Second, (from the place of his Birth it's probable, viz. *Haristall*, or *Herstall*, near *Leige*, where was a stately Palace in the time of *Charles* the Great,) surnamed *Heristallus*. This *Pipin*, by *Plectrude* had two Sons, *Drogo*, or *Druides*, who by *Anfonde*, the Daughter of *Warento*, the Prefect of the Palace of *Neustria*, had *Hugo*, who in his Father's Lifetime was Major of the Palace of *Neustria*, and died in the Mock Reign of *Childerick* the Third, through his Wife's jealousy, and the carelessness of *Tierdaldus* his Son, who succeeded his Grandfather *Pipin* in the Government, but was hindered by *Ermanfredus*. *Pipin's* second Son by *Plectrude* was *Grimoaldus*, and by *Alpais*, or *Elpais*, his Concubine, he had a Son called *Charles*, and surnamed *Martell*, besides another named *Childerbrand*, begotten, as *Thy* thinketh, of another Concubine, though *Aimoinus* calls him his *Germans*, or full Brother. *Charles Martell* had four Sons and a Daughter by *Sigibert*, called *Lantladr*, and by *Aimoinus* *Hiltrude*, who being

stola

SeCT. 4.

Vide Joan. Tillam in Comment. de Robert. Gallie, lib. 1. De Rege Pipino & Majoribus ipsius. Vide etiam Joannem Pipini Regis apud Ambrum. Majoribus in Chronico. Belg. qui dicitur: Fendulfus ex Genealogia Regum ac Principum, Anno 1251 scripta. Vide et Notitiam Eusebii. Belg. c. 3. 20, & 26.

Quem Godanis et vocant filidum, hoc est ab ipso obitus sacre hospitium, sic Tillam.

Sect. 4.

stolen by *Odilo* or *Bacillo* bore him two Sons *Tassilo*, who succeed him in the Title and Office of Duke, by the favour of his Uncle *Pipin*, and afterward ingratiously rebelled against him, and his Son *Charles* the Great, and *Grodogand* Bishop of *Metz*, who founded the Abby of *Forza* in *Lorraine*. The four Sons of *Charles* were *Carloman*, *Pipin* the little, and by some Surnamed *Pius*, *Agidus* or *Remigius* the Arch-Bishop of *Rouen*, and *Gryppo* begot on his Concubine *Nachilde* the Niece of *Odilo* Duke of *Bavaria*. *Tilly* thinks it probable, that the Arch-Bishop and *Gryppo* were Balthards, because in the Partition of *France*, they were left out by their Father, so great uncertainty is there both of Names and other Circumstances in these Genealogies. To be sure *Pipin* after the Receipt of *Carloman* became Master of the Kingdom of the *Franks*, and at length dared to take the Title as well as the thing, being thereto encouraged by his good Friend the Bishop of *Rome*: And so much of the Pedegree of the Kings of that second Line, from *John Tily*, which how far it agrees with the former History the Reader is to consider, though for the main he cannot but approve it.

He invades Saxony.

3. *Pipin* having thus assumed the Title of King, and rejected that of *Major* of the Palace, after he had held it about ten Years from the Death of his Father, with a great Army invaded *Saxony*, either to take Mens minds and Tongues off from the late Revolution, or to let them see that he very well deserved the Title; and the expedition succeeded according to his Wishes, the *Saxons* being beaten at the River *Vesera* notwithstanding they made stout opposition. By the late Encouragement and Assistance which Pope *Zachary* had afforded him, in obtaining the Crown he had contracted such a Debt to that See, as very difficult could ever be discharged; for though *Zachary* died soon after, yet the Bishop of *Rome* being alive again under the Name of *Stephen*, exacted it as his proper Creditour. It happened that a Quarrel arose, betwixt *Aistulphus* the *Lombard* and him (upon what account in the History of that Kingdom, we shall more nearly enquire) which came to that height, that the King having taken *Ravenna*, and banished the Exarch out of *Italy*, seized on *Narnia*, and brought his Army before *Rome* it self. *Stephen* was at his Wits end, not knowing what Course to take, but remembering how his Predecessour had obliged *Pipin*, he sends to him, desiring he would—as the phrase was, Undertake the Protection of the Prince of the *Apostles*, and by some means or other make way for his speedy coming to his Prefecture. *Pipin* sends his Ambassadors and gets the Bishop out of *Rome*, *Aistulph* being persuaded for the present to forbear Hostility, and to *Pipin* he comes, who as he was obliged receives him with very great Reverence, intending to make farther use of him, for strengthening that lately received Title, which by the means of *Zachary* he had first procured.

Is anointed King by Pope Stephen.

4. That the matter might proceed with the greater Shew of Religion, he is lodged in the Monastery of *St. Denis* near to *Paris*, where he falls dangerously sick, but by the Procurement of *St. Peter*, *St. Paul*, and that Saint is restored again to Health, for some notable end, some great Work doubtless to be performed. He was so much in the favour of those Saints as to obtain his Life and Health, and in so much esteem farther with them, as by Revelation to understand that it was by their means, and special Procurement; what Credit therefore ought not to be given to such a Person, who in any thing of the greatest Consequence could not be supposed, but to be induced with an infallible Spirit. After his recovery, he sends for *Pipin*, his Wife, and two Sons, *Carloman* and *Charles* to be present at the Consecration of a new Altar, which he had erected as a Monument of his Gratitude to these Saints, and this must not be in private, but a great Concourse of People must be admitted. There, and then takes he occasion solemnly to anoint and inaugurate aforesaid *Pipin* for King, together with his two Sons, and *Berrade* his Wife for Queen; openly pronouncing him a true and Legitimate King, his Sons Heirs of his Kingdom, and that it was utterly unlawful for the time to come for the *Franks* to chuse any but of his Lineage. *Pipin* we are told endured this, good Man, with Patience, having been formerly anointed by *Boniface*, and submitted to it out of Prudence, knowing that the Opinion of the great Sanctity of the Man, and the mighty Reverence that was born to his high place and Dignity, would be as a Religious Curb upon the People to restrain them from any Attempt, which might be Inconsistent with his Royal Interest.

5. But being paid his Wages before-hand, he could not be so unjust as not to do his Work, and therefore an Assembly of the *Franks* is held, to deliberate upon the War to be made against the *Lombards*. Here the matter found great opposition; for

A Consultation about the War with the Lombards.

for many of the Nobility considering what danger might arise from such a Quarrel, Sect. 4. declared that *Charles Martell* his Father out of his great Wisdom, and foresight had refused to undertake the Expedition against *Luitprand*, and they plainly declared, that in Case he was resolved to make a War he should go alone for them, for they would instantly depart to their Houses. But there was a greater rub than this in the way, which had not been thought of, and with much greater difficulty could be removed. *Carloman* the Monk, and Brother of *Pipin* lived at this time in the Monastery of *Casinum* within the Dominions of *Aistulph* the *Lombard* King, who berthing himself what Service he might doe him in this Cause, sent to the Abbat and Commanded him to send his Monk into *France* to his Brother, to dissuade him from assisting *Stephen*, vowing else to fire the Monastery over his Head, and utterly to destroy the Nest and Harbour of so many Traitors. *Carloman* by Virtue of his Holy obedience is bound to comply with the Abbat, and into *France* he comes, where he is no doubt lovingly received by his Brother. He lays the Law solely to him, and both to him and the Assembly affirms it, to be a point of the greatest Wickedness for the sake of *Stephen* to have War made upon so famous a Seminary, and that brought to Destruction, which had been the Nursery of so many Saints. And *Stephen* himself seemed to be wonderfully afflicted with the thought of War, like a pious Bishop, considering that he was the Father of all, as well the Prodigal as the obedient Children, and therefore with the greatest Repentment imaginable, the good Man abhorred the Effusion of Christian Blood.

Pipin resolves upon it.

6. But *Pipin* having already tasted of Royalty, his Appetite was thereby inflamed with a greater desire of Honour and Dominion, and having had hitherto every good Success in *France*, by dealing with the Bishop of *Rome*, should his Arms prove Successful against the *Lombards*, he knew not what great use he might make of his Friendship in *Italy*, for laying the Foundations at least of more Empire and Glory, to his Posterity in the time to come. He resolves to undertake the War at any Rate: The good old Man he persuades at length to admit of Consolation, feeling this Expedition would tend to the Establishment of the Right of the Prince of the *Apostles*, and the Advancement of the Church. His Brother *Carloman* he permits not to return into *Italy*, but when he would needs retire from Court, persuades him to live in the Monastery at *Vienne*, where the Religious Prince died not long after, and so put an end to all difficulties, which had arisen on his part. There wanted nothing now, but to make the Nobility swallow the Pill, which at length was effected by the guild of Religion, an Holy and meritorious War, being of so great moment with the King, that he vows he will go in Person, though it were with no more than one or two Attendants. He affirms, he was not biased by private Respects, but was engaged for the good of the Church, to which he promised to deliver the Exarchate and *Pentapolis*, as soon as he had recovered them by Arms, which he confirmed by a publick Instrument, Signed and Sealed by him and his Sons, and solemnly sworn to. And to give clear and full Satisfaction, as well to the Bishop as others, he sent once or twice to *Aistulph*, offering him Peace upon such Terms as he might well assure himself he would not accept.

And forces the Lombards to agree to his Terms.

7. Now nothing but the sound of Trumpets, and the Neighing of Horses, and the rattling of Armour is to be heard: The Nobility are alarmed to desert for meritorious a Cause, and the Bishop is at last persuaded to accept of *St. Peter's Patrimony*, though redeemed by the price of Christian Blood. *Pipin* marches toward the *Alpes*, and *Aistulph* being deaf to such Propositions as come out of *France*, prepares as effectually as he can for Resistance. But *Anastafius* the Popes Library Keeper, here makes him a Fool as well as a Knave; to be guilty of so great an Oversight, as to leave open the passages of these Mountains, which he might easily have seized, and so barred to the *Franks* all Access into the Countrey. He adds that perceiving too late his Error, he sent multitudes of armed Men against them, but they easily mattered them, and broke into *Italy* with that violence, that *Aistulph* himself who beheld the fight, concluded they were not to be resisted, and putting Spurs to his Horse, never stopt till he came to *Pavia* the *Metropolis* of his Kingdom. But *Aimoinus* writes, that the Straits of the *Alpes* were before-hand seized, and guarded by the *Lombards*, and he (or some other, for it's evident, that the Book that goes under his Name, was composed by several Authours) is so faithful to his Countrymen, as to give them the full Honour of the Enterprize, which the more difficult it was the greater must needs be the Conduct of the General, and the Courage of his Soldiers. He tells us, they were constrained to fight in a place most difficult of Access to them, and most advantageous for

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Sec. 4. their Enemies, whom yet they beat off from their Posts, made them run away, and with great Glory, and some prey became Masters of their Camp. This Victory thus obtained, *Pipin* resolved to follow it on, and marching to *Pavia* there besieged *Aistulphus*, who bethinking himself what advantage the *Franks* had against him, the *Alpes* now lying open to all the Inroads they would please to make, resolved to grant such terms as they should be obliged to accept, and cut off all their Pretences. These were to do Justice to the See of *Rome*, in order to which he swore to give up the Exarchate and *Pentapolis* to *Stephen*, and in Confirmation of the Agreement, delivered up into the hands of *Pipin*, forty Hostages.

8. *Pipin* hereupon returned home, after whose departure the Quarrel betwixt the King and the Bishop revived, and returned to that height, that *Aistulphus* refused to give up the places formerly mentioned, and in Conclusion went and laid Siege to *Rome* it self, as unjustly also detained from him. *Stephen* closely besieged, and not knowing of any help nearer at hand, writes and sends once more into *France*, giving to the King thereof, his Sons and Nobility mighty good Words, and personating *St. Peter* and the Blessed Virgin with melting Arguments inviting them, to take upon them the defence of the Church, promising them in recompence not only Happiness here, but also in that World which is to come. *Pipin* was not deaf to this Charmer, but raising an Army with speed, returned into *Italy*, but in his way was encountered by an Ambassador sent from *Constantinus Copronymus* the Emperour, who expostulated with him for endeavouring to deliver the Exarchate, and *Pentapolis* into the hands of the *Roman* Bishop, to whom they did not at all belong, but were the Inheritances of the Empire, and had been Governed by Deputies or Exarchs, for the space of no less than two hundred Years. He put off the Ambassador with Words, professing a deep Sense of Religion, and a Zeal for the Church, and he followed on his Journey; which understood by *Aistulphus* he broke up his Siege, and got him again to *Pavia*, where being besieged as formerly, he perceived there was no way to cut off the Pretence of the Invasion of *Italy*, and the Ruine of his Kingdom from the *Franks*, but by delivering up the places in Contention; which he really did, and so sufficient Order being taken therein, and *Pipin*'s work being done at present nothing farther remained, but to return home.

9. After his return, he held an Assembly of the Estates at *Compendium*, from which some idly Divine the Original of the *French* Parliaments. Thither came *Tassilo* his Nephew the Duke of *Bavaria*, with the chief of his Nobility, and did Homage to the King according to the *French* Custome, as *Aimoinus* Words it which what it was, we shall Discourse in another place more proper to a Disquisition about the Nature of *Feodatories* and *Vassals*. *Pipin* much satisfied with this Honour done him by his Nephew, marched against the *Saxons*, who being Idolaters, and bearing minds truly *German*, or impatient of the Yoke, continually rebelled. He pierced far into their Country, and though they opposed him to the utmost, constrained them once more to beg Peace, which they were to purchase by a yearly Tribute of three hundred Horses to be sent to the Annual Assembly of the Estates, a means both to furnish the *Franks* with War, and to weaken them by a constant Diminution of the numbers of so fit a Creature for that Service. Thus succeeded his Projects which way soever he turned him, when new Work was made for him in *Aquitain* through the differences that were risen betwixt *Gaiffar* his Vassal the Duke of that Country, and the Church-men, who complained that he dealt violently and injuriously with them, not suffering them to enjoy those Possessions, which the Bounty and Piety of good Christians had conferred on their Predecessours. He answered to these Criminations, that *Aquitain* having been lately held by the *Saracens*, and before that by the *Visigoths*, that were *Arians*, the bounds of the Inheritances and Possessions, as well of the Ecclesiasticks as private Persons, were confused and uncertain, that it was a difficult matter to dispossess those who had long been seized of Contentious Titles, which they affirmed to be very good, and that it was better to let things rest as they were, than out of Countenance to some extreme Pretensions to imbroil the State with such a multitude of Suits as must needs follow, if a Door should ever be opened to this violent and concealed sort of People.

10. *Pipin* not satisfied with this Answer, thought that a Convenient opportunity was offered, for abating the height of *Gaiffar* and his Adherents, and raising a very considerable Army invaded *Aquitain*, *Gaiffar* was surprized, as not having imagined the King would either have brought such a Force, or used such Expedition, and found himself obliged to try all means possible to send him back; therefore he

promised

promised to restore the Church-Lands to those, to whom of Right they belonged, and for that purpose gave up into the hands of *Pipin*, two Hostages of the prime Nobility of the Country. The Satisfaction being adequate to the complaint, *Pipin* could not but seem satisfied, and receiving the Hostages returned back to *Carifacum*, where he wintered and kept his *Christmas* and the *Easter* following. In Summer, he held the Assembly of the Estates in a Village called *Duria*, whither *Nemes* was brought him, that *Gaiffar* notwithstanding his Oath, and the delivery of the Hostages, to be revenged for the former Invasion of his Territories, had made an Excursion into *Burgundy* as far as *Chalon*, which troubled him the less, because the Estates being now met together, he could have the better, and more speedy Assistance for another Expedition. And another expedition he made, wherein some places he took by Force, as *Borbonum*, *Cantilla* and *Clarus Mons*, and others yielded themselves, especially such as belonged to the *Arverni*. All that he found unfortified he burnt in his passage as far as *Lemonice*, and then returning home kept his *Christmas* and *Easter* in the same place, where he had celebrated these Festivals the Year preceding. But all the while his mind ran upon the Infoleness of *Gaiffar*, which he thought he had not yet sufficiently chastised, and therefore the Summer following he made a third Voyage into *Aquitain*, where he took the City *Bituricum* with the Castle *Toarcum*.

11. *Gaiffar* perceiving he was not able to keep so many places, either for that they wanted due Fortifications, or he Men to Garrison them, or because he durst not trust the Inhabitants, dismantled several of them, thinking to render them useless to the Enemy, not perceiving that hereby he gave him a notable Advantage. For those that were most tenable, *Pipin* caused to be repaired and Garrisoned by his own Men, and chasing all that belonged to the Duke out of the Country, lying betwixt the *Loire* as far as *Limoges*, he returned to *Creey*, where having passed *Christmas* and *Easter*, in the Spring following he was fit for another Voyage. He appointed the Rendezvous to be at *Nivernus*, and by that way entered *Aquitain* destroying all with Fire and Sword he met with as far as *Cadurcia*; which done, he returned to *Limoges*, where he gave several Lands to the Churches, and to that of *St. Martial* the Bannum *Aureum*, he had taken from *Gaiffar*. In this last Expedition *Tassilo*, who as his Vassal had all this while served under his Uncle, pretended Indisposition of Body, and getting him home afterward, denied to pay that Service, which was due to him. That put *Pipin* to a stand, not knowing what Resolution to take, for should he go about to chastise the Temerity of his Nephew. *Gaiffar* might recover all again in *Aquitain*, and render useless the Travel of so many Years; and should he march to perfect his Work in this Country, he feared an Invasion from the *Bavarian* Duke, who had newly married the Daughter of *Desiderius* King of the *Lombards*, and he knew not what farther Alliance with the *Saxons*, and others of his Neighbours he had contracted.

12. He was so distracted in his thoughts, that after an Assembly of the Estates held at *Wormis*, he resolved neither to march one way nor other, but keep himself at home, as appears from *Aimoinus* he did the Year also following, wherein he held the usual Assembly at the Village *Altimicum*, and wintered at *Aquisgranum*. But *Siebert* writes that this Year he made another Expedition into *Aquitain*, and Conquered *Agennum*, *Petrogorica* and *Engolfisma* with almost all the Country; and *Fauget* the President it seems had a Copy which hinted farther, that he made one *chet* his Arch-Chaplain Bishop of *Engolfisma*, which promotion of his, he thinks might possibly give occasion to the Privilege, challenged still by the Bishops of that place, that as soon as the Kings set Foot in *Aquitain* they are chief Chaplains, which yet *Lewis* the younger would not grant to *Lambert*, the Bishop of the same See, who when the King was in *Germany* laid claim to it. To be sure the Year following, *Pipin* being inflamed with a desire of ending this War, commanded his Forces to meet at *Orleans* whence he marched again into his Enemies Country, and in his way caused the Castle of * *Argentomagna*, which *Gaiffar* had demolished, to be built up again, and having both therein, and in the City of *Bourges* procured Garrisons of his *Franks* to be placed to hold these parts of *Aquitain* in Subjection, he returned and celebrated the Nativity of our Lord at * *Salmoniacum*, and at *Genetiacum* kept his *Easter*, where he caused a Synod to meet, to debate some Questions risen about the Blessed Trinity, and the Worshipping of Images.

13. *Siebert* tells us, that in this late Expedition *Remisianus* the Brother of *Eudo*, and Uncle of *Gaiffar* was taken Prisoner, and for his often turning, sometimes to his Nephew and sometimes to the King, was hanged by his Command upon a

G g g 2

Gibbet.

Pipin makes three expeditions into *Aquitain*.

A fourth.

More Franco
morus Regi
Vassallum me-
nibus suis fene-
tissum commen-
davit: sed tra-
ditum tam ipse
Regi Pipino
quam filius ipse
Carlo & Car-
lomo juriarum
de supra Corpus
sancti Dimisij
promittit, &c.
Lib. 4. c. 64.

A fifth.

Sec. 4.
Quoniam per se
Grog per Oile.

Bourbon sermo-
ne le Noble,
Chantelles, Cler-
mont d' Au-
vergne Limoges.

Bourges by the
chas train de
Tunais.

Niverni.
Cabut.

Je cry la bas-
niere d'ar.

Palais d' Aigay.
Aix la Chapelle
A. A. D. 785.
Agen Perigouze
& Angouleme.

* Argenton.
† Salmoniacum
Fauget conde
estre Mont Saul-
gemon chas leau
prochain & ap-
portant au village
de Langres.
Genetiacum l'on
peut estre le vil-
lage vois in de Pa-
ris portant es-
nem.

Sect. 4. Gibbet. Now also the report of his Success was so strong amongst the *Saracens*, that *Amyrnon* their King in *Spain* sent an Honourable Embassy with great Presents, desiring a Peace and Alliance with him. Winter being over, he once again renewed the War, and resolved to make one Expedition more into *Aquitain* by the way of *Narbon*, which he took with *Tolouse* and *Arles* and many other places, and then returned to *Vienne* to refresh his Army; which having done for sometime, not willing to loose the latter end of the Summer, he again marched to *Bourges*, and there held an Assembly of the Estates, as some Authors say, in the Field according to the ancient Custome of the *Franks*. Thence marched he as far as the River *Garonne*, and having taken many Forts and Retirements, where the Enemy had fortified himself, he returned back to *Bourges* and there wintered. As soon as the Season of the Year would permit, he hastened to perfect his Conquest and came to the City * *Sanctonica*, where the Mother and Sister with a Niece of *Gaiffar* were presented to him, whom Commanding to be Civilly treated, he returned to the *Garonne*, and coming to a place called *Montes*, there *Eromicus* came in to him with another Sister of *Gaiffar* supposed to be his Wife. Having done some few more Exploits he returned, and in a place called *Fels* kept his *Easter*, which Festival being finished he marched back to *Sanctonica*, and there leaving his Wife and Family; resolved before his return to find out *Gaiffar*, who had put him to so much trouble which he did in the Territories of *Petragericum*, and having slain him in Battle, or otherwise it's not very certain how, his Work being done, he returned thither from whence he had set forth.

Having slain
Gaiffar Duke of
Aquitain he fi-
nishes the War.

The Vascons
mit to him.

14. Such is the general Account of this War, which is given us by very good Historians. But as to the particular Nations or People, that were engaged, *Fredegarius* by Name mentions the *Falcons* or *Walcwons*, who, when *Pipin* marcht the 1st time to the *Garonne*, inhabiting beyond this River came to his Presence, and gave both their Oaths and *Hofages*, that for the time to come, they would ever be Subject and Obedient to him, his two Sons *Charles* and *Carloman*, and their *Pofterity*. He adds, that several others who had followed *Waifar* or *Gaifar* did the like, and that King *Pipin* kindly accepted of them. Now by these Words, *Falwones* qui ultra *Garonnem* Camorantur, The *Falwons* who dwell beyond the *Garonne*, is hinted, that this sort of People had at this time Conquered and seized on that part of *Aquitain* called *Nempopolania*, which is bounded by the River of *Garonne*. This is confirmed by Testimony of an ancient Authour, of the Life of *Ludovicus Pius*, who reckoning up the memorable things performed by *Charles* the Great; and making mention occasionally of the *Garonne* lets fall this Expression, that, *It bounded those of Aquitain and the Walcons*. That they now inhabited that Countrey, we do little doubt, but at what time they should make this Invasion and Conquest is the great Question. An ancient Parchment of the great Church of *Aufes*, written by a Priest thereof, near six hundred Years since, relates that the *Falcons* in the days of *Clodowaus* the First, left the Mountains, and invading *Aquitain*, having slain those Counts and Vicounts which that King there had placed, put others in their Room. *Elias Vinet*us would have this to have happened about the Year 590; but his, and the Conjecture of the Priest are both built upon weak Foundations, for in the Reign of *Dagobert* that they inhabited yet about the *Pyreneans*, and were not defended into the Plain, is evident from several ancient Authours, particularly from the *Chronicon* of *Fredegarius*, the Life of *St. Amaduis* written about the same time, and *Ildorus Hispalensis* who lived in the days of that said King. Some there are who Fancie that they were invited by *Eudo* the Duke of *Aquitain*, and placed by him in that Region now called *Gascogne*, but without any Ground at all, upon frivolous Suggestions. The Authour of the Life of *St. Julian* the Bishop of *Bearne*, refers this bold Attempt of the *Falcons* to the time of *Ebroinus* the Major of the Palace, when, as he faith, they and other Neighbouring Nations made choice of one *Lupus* for their Prince, who did much mischief to the Kingdom of the *Franks*. This probably is that *Lupus* who about the Year 670, assisted *Paul* against *Wamba* the King of the *Goths*, as *St. Julian* the Archbishop of *Touloufe*, hath left recorded in the History which he writ concerning the said *Wamba*.

15. Some there are, who will have this *Lupus* Father to *Eudo* the Duke : Others will have him not the Son of this, or any other *Lupus*, but of *Bertrand* the Duke of *Aquitain*. All these are mere Conjectures founded upon no material Arguments, and therefore no otherwise than as such are to be regarded. We may conclude safely yet, that in the latter time of the first Race of the Kings, when the

Nos Anciens, dit
Fauchet, appel-
loyent ce Sei-
neur, Mirama-
molin, jaroiz
q'ille faille di-
re Emir Mamin.
C'est a dire Em-
pereur en langue
Arabesque.

Et prist de force
Arles que je peu-
s'e estre la ville
de Provence par
je ne Scay quelle
raison appelle le
bluna par tous
nos anciens
Francois.

* *XainDes*.

Ad Ann. 767.
Præditiſſus rex
Pipinus uſque a
Garonna accel-
ſiſſi, ibi Wale-
nes, qui ultra G-
ronnum commi-
ſerant, ad ejus
preſentiam vene-
runt, &c.
Garunna mibi-
liſſe Aquitanie ſi-
ſſus ex Pyreneis
oriſſus, ſcil. A-
ra ſalut: Tolofa
primum alluit.
Inde Aginnum &
Burdigalam no-
biliſſimas Aqui-
tantiæ urbes per-
labitur, unde a-
ſſuſſus & majo-
rum navium pa-
rens in Aqui-
tanicum ſinum ſer-
uat.

C. 78.

Hi (Vaccei quorum Vasconibus confundit) Pyrenæis jugis perambulant montibus habitant solitudinem, iidem & Vascones quasi Vaccones G. in S. iteram demutata.
Vide Notitiam Vasconia, p. 393.

The time of
their coming
hither.

Valour of *Clodonæus* his Posterity was degenerated, when the Majors of the Palaces contended amongst themselves, and seeking to establish their Power at home, little regarded what was done upon the Borders, that then the numerous and Courageous *Vafcons* took the Advantage, and pouring in themselves into *Novempopulania*, there fixed; the Officers of these parts being not able to resist them, or content to let them alone, on Condition, that in these Turbulent times they might have their Governments secured to them. This we are apt to believe from the Case of *Budo* and his Successors, *Hunald*, and *Waifar* or *Gaifar*, who in these great Wars they managed against *Charles Martell*, *Pippin*, and *Charles the Great*, seldom made use of any other Souldiers than the *Vafcons*, to the chief of which Nation they committed their principal Towns and Castles, as appears sufficiently from the Appendix of *Fredegaricus*, the ancient Annals published by *Pithæus*, *Marquardus*, *Freiburgus*, *Andrew du Chesne*, and others. Now that from these *Vafcons* the Country was called * *Gafconio* or *Gafcony*, \varnothing being changed into G (as is ordinary in other Words) is confided by \parallel *Elias Vinetus Sancto* lately mentioned, as also by the Natives of that Country, as \parallel *Bellefsejff*, * *Scipio*, *Dupleix*, and \dagger *Joseph Scaldier* himself, although he seems to have been in this point, that he thought them placed in this Country partly by *Pippin* after his Conquest of them, and afterward by

16. but these Piple feated themselves in *Novempopulania*, a part of *Aquitain*; and were therefore obliged to tell the Reader first, what is meant by *Aquitain*, and then by *Novempopulania*. The Name of *Aquitain* Originally, and properly was given to that Tract of Ground lying about that City, which the *French* at this day call *Acs*, the *Gaſcons* *Dacs*, by *Ptolemy* named *Aqua Aquſtæ*, by *Julius Sequenſer Tarbellia*, in *Benignus's Itinerary Table*, *Aquis*, and *Aquiſe* in the *Belgic Language*. It took this Name from the hot Waters iffuing out of the Earth, which were famous in the times of the *Romans*, as appears from those flately Marble Seats, yet to be ſeen on the Brink of the Fountain, as *Finetius* relateth. The frequent Concourse out of *Italy* to these Waters, after the *Romans* had subdued the Country, in probability gave occasion to the building of it, for that it was the Work of the *Romans*, we are persuaded not only from the Latine Name, but the Aqueduct and several others of such like Monuments yet remaining. That this Country was in the Possession, and Power of that People long before the coming of *Cæſar* into *Gall*, is both evident from * himself, and from another † Testimony; I mean that which is terminated by the River *Garonne*, the Ocean and the *Pyrenean Mountains*, that part especially lying upon the Sea and the Hills, and probable it is, that then this received the Name of *Aquitain*, which by degrees was Communicated to all those Parts that lye beyond the *Garonne*, as appears from || *Pliny*; who farther informs us, that before this Region had this Name of *Aquitain*, it was called *Aræmonica*, or *Aræmorica* rather, as others read it with better Reason, because from * *Cæſar* it appears, that all the Cities of *Gall* which lay upon the Sea, were of Customs called *Aræmoræ* the Word it self † expressing their situation.

Ubi hodie est Praefectura Aquensis Senescall. Landarum dicta.

* *De bello Gall.*
l. 3. c. 20.
† *Liuij epitom.* l.
93.
|| *Vide Plin.* l. 4.
c. 17. & 19.
* *Lib. 7. de bello*
Gallico. c. 14. &
l. 8. c. 5.

Postiores autem Idiomatis memores Lemonicum quod est Aquitania prima oppidum, etsi in interiori ejus parte, in Armorica Regionem

17. To Water therefore it hath been still beholding for its Name. As from the Sea it was first in the *Gallick* Language called *Armor* or *Armorica*, so afterwards *Aquitania* from the Medicinal Waters found therein, which flowed out of the Earth in several other places besides *Acq*, for we read of *Aqua Bigetonna*, *Therme Onefie*, *Aqua Convecunacur*, *Aqua Calide* in *Armoricorum finibus*, besides others of which it is not here proper for us to infill. And if the Conjectures of some be true, the last name of *Guienne* given to that part of it which remains in the jurisdiction of the Senate of *Bourdeaux*, at such time as a Contest arose about the Countrey, betwixt the *English* and the *French* Nations, owneth no other Original; some affirming it corrupted from the word *Aquitain*, and others deriving it from *Aigne*, which in the Language of the very place signifieth Water. They tell you the first syllable is cut off according to the Custome of the *French* with Vowels when they are to meet with *Le* and *La*. To be sure others more improbably derive it from the *Guilhelmi* or *Williams*, the Dukes thereof, as if it were *Gueltima*, (this being the ordinary Name of those Princes, as those of *Pharao* and *Ptolemy* for the Kings of *Egypt*.) For in their days there was no such Name as *Guienne*, nor to be sure till that of the *Williams* was quite forgotten. We shall dismiss *Aquitain* with this farther

Sect. 4.

SECT. 4.

hint to the Reader, that till *Augustus* his time, it was terminated with the *Garonne* *Garonna* *Calet* *Vetere* *Aquitanie* *terminata*, sed *ex quo additum* *fuisse* *videtur* *Legem* *ex* *di-* *visis* *in* *primis*, and the *Pyreneans*; But he enlarged it as far as the *Loire*, and then was it divided, and afterwards otherwise altered, that which retains the Name at this day, containing not above a third part of what was so called by the Emperour.

fundam *et* *terram* *que* *Novempopulania* *dicitur* *est*, *tandemque* *Vasconia*, *tertia* *Aquitania* *seu* *Vasconia* *terminus* *fuit* *Garumna*: *unde* *in* *re* *olim* *Caroli* *Pris.* *Garumna* *flevisit* *Vasconum* *et* *Aquitanorum* *conterminus* *dicitur*. *A* *Garumna* *flevisit* *Calet* *Garumna* *dilecti* *populi* *hujus* *se-* *minis* *ecce*, *vulgo* *le* *poys* *de* *Bascois*. *Alloftra* *Rerum* *Aquitana*. *lib.* *1.* *c.* *21.*

18. But that part of *Aquitain* (or *Aputain* more properly so called) lying betwixt the *Garonne*, the *Pyreneans* and the Ocean, which our *Vascons* seized, was also called *Novempopulania*, sometimes reckoned a Province of it self, and *Aquitain* taken as contradistinct to it, being divided only into two, the first and second, and otherwhile called *Aquitania Tertia*, or reckoned as the third part of this Division. Whence it should be called *Novempopulania*, from what Nine several People is not agreed; for in the Notice of the Provinces, twelve several People are attributed to it; some therefore think the true Name of the Province to be *Duodecimopulania*. Others would have it's name *Undecimopulania*, from the eleven Dioceses of *Aufes* the Seat of the Metropolitan, as if the Limits of Provinces and Nations which were set long before there were any such things as Dioceses should be regulated and bounded by them, than the Rules and bounds of which nothing can be more uncertain. For Dioceses by no certain Law are measured, but sometimes like Wedges, otherwhiles obliquely are inserted into Neighbouring Provinces, may sometimes run far into foreign Nations, as it's certain some *Gallick* Dioceses bordering upon *Spain*, *Italy* and *Germany*, penetrate into those very Countries, as theirs again do into *Gall* it self. Now it would be excellent Logick, thence to infer that *France* is in *Germany*, *Spain* or *Italy*, or part of them are in *France*, so silly is the course of determining of Provinces and People by the limits of Dioceses, which yet is practised by most of the *French* Writers. The way to assign the Names of People is not to express the several Towns of the Dioceses, as the Authour of the Book of the *Roman* Provinces practised, but the Names of the Nations themselves which in *Novempopulania* (so called after that *Adrian* the Emperour had reduced them into the form of a Province) were these: the *Meduli*, the *Pibisci*, *Boii*, *Tar-* *belli*, *Vasalii*, *Bigerri*, *Pibuli*, *Auscii*, *Corvenæ*, and *Datii*.

Qua *in* *re* *olim* *Calet* *erat* *usque* *belli* *gallici* *li-* *breritis*, *illi* *e-* *rim* *gentes* *tres* *duodecim* *apqui-* *nias* *receperit*, *quos* *gentibus* *autem* *oppidans* *et* *pagani* *nomen* *hoc* *probat* *Morus* *Florus* *in* *Geographia* *Aquitana*, *p.* *102.*

19. Since we have brought the *Vascons* into *Novempopulania*, and have discovered the Names, Situation, and nature of this their new Seat; we must not be forgetful of those they left behind them, for that the Elder sort of People staid behind, and that those are their Posterity which still live about the *Pyrenean* Mountains, and are called *Vasci* or *Basques*, cannot be doubted by any that have been the least conversant amongst ancient Historians. Berwixt the Names of *Vascons* and *Vasci* there is no difference, but that of Declension, as might be made evident by several particulars, but this may suffice, that those People that live at the bottom of the *Pyreneans*, and at this day are both by *French* and *Spaniards* called *Vasci*, were known in old time by that of *Vascones*. Both the *Galcons* and *Basques* or *Biscainers* are also in some Authours pass under the Name of *Vascei*, corruptly framed from *Vascei* 816. or *Vasci*, although in later times it be appropriated unto the *Vasci*, who are also diminutively called *Vasculi*, and by way of Contraction *Vascli* and *Bascli*. Their Country by some called *Vasctania*, although lately annexed to *Gascoigne*, and reckoned to be in *Aquitain*, yet anciently was a Territory distinct, and now the Inhabitants differ both in manners, Customs and Language from the *Gascoigns* and their Neighbours. It's Situate in the utmost part, and as it were an Angle or Corner of *Gall*, there where it borders upon *Spain* to the North-west; On the West it is bounded by the Ocean, on the South by the River *Bidasus*, and the *Pyrenean* Hills, on the East by the Principality of *Beame*, and on the North partly by the said Principality the River *Aturis* and otherwhile. In length it contains about fifty Miles, in breadth four and twenty. It's divided into three parts, whereof the first is that of *Lapurdus* or *Baion*, the other that of the lower *Navarre*, and the third that of *Sola*. *Baion* and *Sola* are governed by the King's Governour of all *Aquitain*, and the lower *Navarre* by his Lieutenant of *Beame*. *Baion* and *Navarre*, for Justice have recourse to the Parliament of *Bordeaux*, and *Sola* to the Parliament of *Pale*.

20. The

The Language
of the Vascons.

20. The Language of these People by the *French* called *Basque* and *Biscaine*, and by the *Spaniards* *Vasqueze*, *Jeseph Scaliger* in Latine calls *Cantabrisimus*, and reckons it amongst the Mother Tongues of the *Europeans*. He adds that the speech of it begins not far from *Baion*, and reaches six or seven days Journey within the Mountainous parts of *Spain*, that the *French* call those that use it *Basci* and *Basculi*, and the *Spaniards* the Countrey wherein it is spoken by the General Name of *Bascuena*, that it hath nothing of Barbarism wharling or puffing in it, but is most mild and sweet, and without doubt the most ancient; and in those parts in use before the times of the *Romans*. In short, those that speak it are, on the *Spanish* side of the *Pyrenean* Hills, the Inhabitants of the greatest part of *Navarre*, all *Ipsena*, *Alava* and *Biscay*, and on the *French* side those three Divisions of *Baion*, the lower *Navarre* and *Sola* lately mentioned. Some give this General account of it, that most of its words in the singular Number end in *A*, and in the Plural in *Ac*, but others tell them they are mistaken, for when they end *A*, and *Ac* added to them, supply the places of syllables only, as in the word *Guison* a *Man*, *Guisona* signifieth the *Man*, and *Guisonac* the *Men*. Their Posterity that seated themselves in *Novempopulania*, or *Gascoigne* by degrees forgot this Language, and learnt the Romance or corrupt Latine, though much differing now from that of the *French*. But enough of the *Vascons*, the Motions and Conquests of whom we could not omit, without a great gap and oversight committed in History.

21. To our business. *Pipin* having subdued the *Vascons*, with the other People adjoining to the *Garonne*, and killed *Gaiffar* his Enemy, returned home; From *Saxilone* he came sick to *Tours*, where having done his Devotions he removed to *Paris*, and having in the Church of *St Denis* fitted himself for another World, on the twenty fourth of *September* he died of a Dropic, in the fifty fourth year of his Age, and in the eighteenth of his Reign. A great *Man*, though but four Foot and an half in length; for he laid the Foundations of great Power and Sovereignty, and like another *Philip*, made way and gathered materials for that Grandeur, at which his Son afterwards arrived. He was Buried in the Church of *St Denis*, and had this Inscription made upon his Tomb, *Pipinus Rex Pater Caroli Magni*, but this was sometime after, for that his Son had the Surname of the Great, presently after his Death cannot be imagined. By *Biriba* his Wife, (called *Biriba* with the great Foot, because one of her Feet was bigger than the other;) he had three Sons, *Charles*, *Carlo-man* and *Pipin*, who died before his Father, being scarcely three years old, besides *Egidia* a Nun, to which some add *Rotende* and *Altende*, Buried in the Church of *St Arnald* at *Metz*; as for the second Wife which *Lazius* mentions, and the several Children he had by her, we think them not of that Credit as to relate their Names. Of his two Sons, *Carlo-man* had those Provinces which had formerly belonged to *Carlo-man* his Uncle, and *Charles* succeeded to the remainder of the Dominions of the *Franks*.

22. They were both Crowned on the same day, *Carlo-man* at *Soissons*, and *Charles* at *Noviodunum*, or as some say at *Wormes*, the one over *Austrasia*, and the other over *Neustria* and the Territories thereto belonging. *Charles* whose Tyrocinium, or first Foundation of matters of Arms had been laid in the War of *Aquitain*, or that against *Gaiffar*, was immediately upon his Promotion presented with a new Subject, whereon to employ his skill and valour from that very Countrey. For the Sons of *Eudo* being all extinct, one *Hunoldus* as he called himself, its uncertain who he was, or of what Family, but the Name he thought would be a great means to bear him out, affected the Sovereignty of that Province, and easily persuaded the People to accept of him for their Duke. *Charles* to whom *Aquitain* fell at the Division of the Provinces, thought himself concerned as well in Honour as in Interest, to follow the Example of his Predecessors, in not suffering any such Usurpers and unruly Neighbours there to rest, and resolving to march, and endeavour to reduce him, sent to his Brother to joyn with him in the Attempt wherein though not so much, and so nearly, yet by way of Consequence, he must also be concerned. But *Carlo-man* made no haste to joyn with him, his Courtiers having done ill Offices betwixt them, and raising still jealousies in his Head, of his Brother's restles and ambitious Spirit. *Charles* was no whit pleased to find him of such an humour, and to remove all misunderstandings, desired an Interview and a Conference which was granted, and given at a place called *Duafines*, but without any good Effect, for *Carlo-man* returned back, but *Charles* pursued his Voyage and came to *Angouleme*, where he drew up his Forces and then went in quest of *Hunoldus*.

ten, *enon* *licet* *nominè* *Duadines*, *que* *il* *n* *aj* *seu* *remarque*.

23. *Hunold*

SECT. 4.
In *traditu* *de* *Europarum* *lin-* *guis* *et* *diatribis* *de* *hodiernis* *Francorum* *lin-* *guis*.

Marin. *Sicil* *lib.* *4.* *c.* *ult.* *Rerum* *Hispanie*. *ex* *eo* *alii*. *Arnaldus* *Oib-* *natius* *in* *Noti-* *cia* *strinque* *Vas-* *conia*.

Orist *Ann.* *183* *gesta* *M.* *Car-* *olici* *Ultrapre-* *num*.

Alii *dicunt* *filium* *Pipini* *fuisse* *Egidium* *Mon-* *achum* *in* *mones-* *tralis* *in* *Italia* *et* *aliam* *filiam* *nominè* *Gisla-* *m* *que* *fuit* *Abba-* *issa*.

Noviodun *idest* *Noyon*.

De *istis* *loco* *fic* *Francorum* *ex* *Ar-* *minio* *et* *les* *freres* *se* *virent* *en* *Pa-* *ris*.

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23. *Hunold* was not so wife, as to be ready and well prepared before he broke out into Rebellion, and therefore durst not stand his ground, but fled from place to place; *Charles* still dogging him at the Heels, till he forsook the Countrey, and fled to *Lupus* the Duke of the *Vifcons*, those which at this day are called *Basili*. *Charles* thither also pursued him by a Messenge, Commanding *Lupus* to deliver him up, or to expect him speedily to fetch him with a great Army. He was so sensible of his disability to grapple with the King, that he not only delivered him up with his Wife and Children, but promised all farther obedience to his Commands; *Charles* in the mean time, while this business was agitating, laying the Foundations of a Castle upon the River *Domonia*, called as *Almoins* tells us *Frontiacum*, or as *Eginhart* will have it *Franciacum* from * the *Franks* that Built it, which Original is more probable than that of *Gillius*, who would have it so named, because it was formerly known by that of *Fons Saracenorum*. Having received *Hunold*, he returned with him into *France*, where he kept him in free Custody, that he might doe no farther mischief, without any other Punishment inflicted. This year he kept his *Christmas* at *Dury*, and his *Easter* at *St. Lambert* near *Liege*, passages which we should not relate, but that from thence we may hint these two things to the Reader. The first is, that about these times when Authors take such notice of the places where *Pipin* and his Son *Charles* celebrated these Festivals, Kings began in an extraordinary manner, with great Pomp, Magnificence and Bounty to perform this Duty, this *Charles* afterward known by the addition of the *Great*, being wont to sit in his Robes with his Crown on his Head, upon these occasions. The other is, that from his keeping his *Easter* at this place of *St. Lambert*, it appears as *Fauchet* observes, that the two Brothers had not yet made any certain and determinate Division of the Provinces. For *Liege* and consequently that Village or Palace lies beyond the River of *Meuse*, and so belonged to the Kingdom of *Austrasia*, this River being ever accounted the limit and Border betwixt *Neustria* and it.

*fr. Martini Villa, Lucani villa, Frontini Villa. * Obi invenitur Acus prior pars: nominis denotat nomen proprium hominis ut in lingua Teutonica Martini dorp, Hansdorp, & in lingua Anglo-Saxonica Normann, Normanby, Ketelburp, &c. centum alia.*

24. The Brothers were divided in their affection, and so still continued, however the limits of their Jurisdictions were indistinct. This grieved their Mother *Bertha* not a little, who to bring them to a good understanding, omitted nothing becoming a Parent's care, travelling from the Court of one to that of the other for this very purpose. They both were Batchellours, and none but the Daughters of Kings seemed fit for their Royal Beds. No King was there in view, who was in a Capacity to suit them, but *Desiderius* King of the *Lombards* in *Italy*; his Daughters would fit them as to their Dignity, and having one for each, their Mother thought this double Marriage would be the greatest means imaginable to restore them to a good and perfect understanding betwixt themselves. To the Court therefore of *Desiderius* the hastes, and easily obtains what she came for. But there happened to be a Rub in the way, which might easily have been foreseen by any one that understood the Affairs of *Italy*. The Bishop of *Rome* was wonderfully concerned at this new Alliance, dreading nothing more than that the House of *Pipin* which had done such Services for his See against the *Lombards*, should be drawn off to their Party, it being his only Refuge, and danger now threatening him from the same hand every moment. He takes his Pen and writes a most passionate Letter, which cannot but affect him that reads it, though perhaps in a very far different manner. From top to bottom it's full fraught with Religious pretences and Expressions. "He begins with a serious admonition, that they were of the snares and deceits of the Devil, who enticed first, and deceived Man by the means and Insinuations of a Woman; then after this Preface coming nearer to the Matter, affirms, that if what he heard were true, viz. That one of them was perfwaded by *Desiderius*, to take his Daughter to Wife, it was properly a Diabolical Im-mission or Insinuation, and seemed no Matrimonial Conjunction, but a Fellow-ship of a most wicked Invention.

A marriage proposed to the Kings, with the Daughters of *Desiderius* King *Lombard*.

The Pope's Letter upon that account.

25. "His Arguments to prove it are these. From Scripture it appears, that such grievously sinned as mixed in Wedlock with strange Nations, and with a Nation strange indeed should they mix, the most generous and Noble blood of the *Franks*, the glory of whom excelled the Beauty and Lustre of all other People, must be polluted, which God forbid, by the perfidious and most stinking Nation

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"Nation of the *Lombards*, a Nation not reckoned in the number of Nations, and from which Nation it's certain, faith he, that a sort of Leprous Persons do issue; he adds, that none in his right Wits can imagine, that Kings of so great a Name, should be involved in so detestable and abominable a Contagion; for what fellowship is there betwixt Light and Darknes, and what Communion betwixt a faithfull Person and an Infidel? The next Argument he uses is of more weight, though it make less Noise, (and little Noise indeed it may well make, for not the least whisper of the thing is to be perceived in any other good Authour,) and that is, that they were already joyned in Marriage by their Father's procurement, with two beautifull Ladies of their own Nation. Having been formerly anointed with Holy Oil, by the hands of the *Vicar* of *St. Peter*, and being sanctified with Heavenly Benediction, he bids them beware how they involved themselves in so great guilt. Then comes the Argument indeed, to which the other Reasons are but subservient. They must remember they had ingaged themselves to *St. Peter*, and *Pope Stephen* his *Vicar* and his Successours, that they would be Friends to their Friends, and Enemies to their Enemies; he demands then how they can now act against their Souls, and make such a Conjunction as they were about to do, with the pernicious Nation of the *Lombards*, who were manifestly their Enemies, in that they had set upon the Church, and had invaded their *Roman* Province. This he enforces with instances of their Father, who when *Constantine* the Emperor would have had their Sister *Ghylla* for his Son, answered, that it was not lawful for you to be joyned with a strange Nation, neither durst act any thing against the Will and Pleasure of the Bishops of the Apostolick See. He asks them then how it comes to pass, that they should endeavour to act contrary to the Will of the *Vicar* of the Prince of the Apostles, which thing their Father never attempted, and whether they were not sensible that it was not him, unhappy man, but blessed *St. Peter*, whose Vicegerent he was, though unworthy whom they despised, forasmuch as it is written: *He that receiveth you receiveth me*, and he that despiseth you despiseth me.

26. "After this as the whole Letter abounds with Tautologies, he again inculcates their promises of Obedience made to *St. Peter* and his Predecessours, and himself both by Letters and Messengers. He puts them in mind how *Stephen* had written to them a little before his death, and by terrible adjurations, had admonished them firmly to abide in their love towards God's Holy Church, and the Apostolick See, and that they performed to a Tittle what they had ingaged to God's Apostle. And is this now your promise, faith he? O what Labour did that most blessed and best *Stephen* undergo! what a dangerous Journey did he undertake when he was in so weak a Condition! and except the Lord be ready at Hand, his pains shall be now frustrated, and that Journey which that our Predecessour took into *France* will prove mischievous to us, our Enemies being now more Elevated than formerly they were, in the height of their Pride and Arrogance. Behold, that which we feared is come to pass, our Joy is turned into Lamentation, the last mischief is greater than the former, and whence we expected Light to arise, thence Darknes hath broke out upon us. Now comes he to the business. Wherefore, he adds, blessed *Peter* the Prince of the Apostles, to whom the Keys of the Kingdom of Heaven are delivered by the Lord God, as also Power is given to bind and loose in Heaven and in Earth, by our Infelicity earnestly admonisheth your Excellency, and we also together with all Bishops, Prelaters and other Priests, and all the Nobility and Clergy of our Holy Church, as also the Abbats and all Religious Persons, those of chiefest Rank or Judges, and our whole People of this Province of the *Romans*, by denouncing of Divine Judgment, conjure you through the living and true God, who is the Judge of Quick and Dead, and by the ineffable Power of his Divine Majesty, and by the tremendous day of the Judgment to come, when we shall have all Princes and Powers, and all Mankind to stand by trembling, as also by all Divine Mysteries, and by the most Sacred Body of blessed *Peter*, that neither of you in any-wise presume to take in Marriage the Daughter of the said *Desiderius* King of the *Lombards*, nor give your Sister *Ghylla* to his Son, nor dare to put away your own Wives. Then follows, that, remembering what they had promised to *St. Peter*, they should resist the *Lombards* his Enemies, and force them to restore what belonged to the Holy Church, to the Commonwealth of *Rome*. For all their promises they have broken, faith he, and they incessantly afflict and oppress us, are nothing inclined to restore any thing to us, and now as is notoriously known

H h h invade

Fauchet hic dicit: si fama est Galsione ex bras de Lup. male. Galsione enim est Aquitania hoc tempore deservans, atque vox Galsione non nisi cum aliquo abbas Jacobi reperit. Si Galsione in Anglia, Angliam, Reperit quia supra de his Regibus mutatur.

* Sed regit hoc Dominus de Scia, quia non legitur Francicum sed Francicum vel Francicum. Ad Gallia verteribus in ipsa fuisse hoc nomen alii cum assignant nomini illius qui villam condidit vel ipsa possessoris ut Martinianus, Lucanianus, Frontinacum, quod nil aliud fuit nisi

Exist apud Romanum ad Ann. D. 770 nam. IX.

Quod certe si ita est, hoc propter diabolica est immixtio et non tam matrimonium conjugio sed confusio iniquissima adveniens esse videtur.

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"invade our Borders, in prefence of your Ambassadors, making a shew of Justice, but nothing is brought to Effect, neither can we receive any thing of our Right. Having admonished them to give eard to his Messengers, at length he concludes with an Anathema, to any that should act contrary to this his Admonition, who is hereby cut off from the Kingdom of God, and appointed with the Devil and his most detestable Pimps, and all other wicked Persons to everlasting Burnings. On the contrary, who observes and keeps to his Exhortation, shall by our Lord God be made remarkable with Heavenly Blessings, and be found worthy to be partaker of the reward of Eternal Joys, with all the Saints and Elect of God.

27. Thus far the Zeal of Pope Stephen, as to the Reason of which its source and Original we shall say nothing, but leave the Reader to his Meditations on the Affairs of Italy, how they stood at this Conjunction. For his Arguments; the Examples he produces out of Scripture, where Marriage with Foreigners was always forbidden and cursed, how they are pleadable in this point is above my Capacity, and perhaps even the Reach of some who are moderately versed in Theological Speculations. The opprobrious Language he gives to the Lombards, not to those only that had offended him, but the Nation it self, and so to many Innocents, as to the matter in hand, how Civil or Christian it is, I had rather his Friends should Judge than I; but one thing we may hence learn by the way, that the Jews are not the only People that have stunk, but the Lombards were involved in the same Punishment, because guilty of the same Crime, for as they were, and are Rebellious against Christ, to these Lombards were against his Vicar. Our late Authour of the Heroick Poem called *Gondibert*, had certainly little Judgment, to leap over the most Noble Nation of the Franks, and omit to many other fit Subjects of wit, and pitch upon such a vile and stinking Nation as this, whereon to Paint out and Imbellish those rare and excellent Qualities, which make Princes Glorious both for Peace and War; we shall hear by the next *Ragguagli*, that he hath smarted soundly for it in *Parnassus*. But the greatest wonder is, the News he tells us of Charles and Carloman, being e'er this Married to two beautiful Virgins of their own Countrey, a thing which no Historian, or other Authour doth in the least hint at, though the Life of Charles hath been written by some that lived in his own time, and some later Writers have used all diligence imaginable, to give us an account of his Wives and Issue. Indeed there are that tell, that, while he was Prefect of the Palace, he had several Concubines, whose Names are unknown, by some of which he had a Daughter called *Botede*, and *Pipin* the Bastard, who Conspired against his Father's Life. If the good old Man took these for Wives, (it being possible that true Stories might tire through the length and tediousness of the way, e'er they could get over the *Alpes*, and Lie free to *Rome* before them,) to put them away, he certainly neither stood in need of his Connivance or Dispensation.

28. Notwithstanding such an Impediment, and what was more this thundring Letter, the two Brothers not dreading that which hath caused Nations, if not Devils to tremble, Married their Wives; yet we are told by the Importunity of their Mother, more than out of their own Inclinations, for this Reason, that they were already Married to others. That this may appear, their instance in the matter of Charles, (for as for Carloman his Marriage as to the Person is very obscure,) that his Wife *Birtha* by name he put away not long after, as they would make us believe out of remorse of Conscience, forasmuch as they say, no cause at all is alleged of their parting. But the thing that was alleged was Womanish Impotence, as at last it appeared, (though something else might be in the Bottom,) and now Charles was to take his lawful Wife again, and had so done doubtless, if he had not been Satisfied in the lawfulness of this last Conjunction, except perhaps the poor Woman in the mean time died Heartbroken with sorrow. Had he had a Wife before, so great offence would not have been taken at the leaving of this, which was indeed never his Wife, and St. *Adelradus* his Kinsman would never have left the Court for being scandalized with so great a Crime, as we are told he did by those that have written his Life. Neither can it be said that *Hildegardis* whom he afterward Married could be his true Wife, which he reassumed, for all Writers with one consent affirm, he Married her after the putting away of *Birtha*, and her Epitaph produced by * *Barenus*, if it was hers indeed, shews that she was his Wife but twelve years, and therefore he dying in the year of our Lord 786; she could not be Married to him till he had Conquered Italy, and had both that Countrey and the City of *Rome* in his Power, as is by the Cardinal confessed. The Roman Bishop therefore seems to have wanted good Intelligence, and at this time not to have been in-

fallible

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fallible in matters of Fact, which one sort of People now begin to ascribe to him. He was not only mistaken in this particular, but in that also of the number of *Defiderius* his Daughters, for he heard but of one, that was to be Married to one of the Brothers, whereas the ancient Annals make it manifest that the two Brothers Married two Sisters. How would he have stormed at this double Alliance! But as much as he stormed at the Conjunction, he was calm enough at the separation, and what Noise soever other Godly men made, the interest of God's Church (which he foreaw now might be advanced, Goodman,) stopt his mouth and perfwaded him to Patience.

29. The true reason of his Divorce we may guess at hereafter, noting this at present, that what Reputation with good men he lost thereby, was scarcely repaired in the opinion of Loyal and sober Persons, by another Revolution which shortly after happened. Carloman his Brother not long after died, and left at least one Son behind him. *Aimoinus* writes he had Children, one he might have by his late Marriage, and his Wife might by this time be great with another. But Charles aspires after the Inheritance, and either finds or makes such a Party in his Brother's Court, as closeth with him out of pretence that the dangers are great, which threaten a Nation in the Infancy of its King, and that it was better for the Franks universally to be Governed by a Monarch. He being advanced, the Widow of Carloman flies with her rejected Children, and such of the Nobility as detested the Treason into Italy to her Father, who by these Forerunners might easily guess what in a short time would follow after. The thoughts of Charles were not bounded by the limits of France, these were too strait and narrow for his ambitious Soul, yet had his Brother lived, little out of fear of him, could he abroad have attempted, and to what purpose should he seek out Foreign Countries to Conquer, when he was but Joynt Tenant at home, and in his own? This therefore was especial Service the Nobility of *Austrasia* did him, and now that Fortune had so luckily put him in a way, he was resolved not to disoblige her by neglect, but to pursue his opportunities to the utmost. The first was presented by the Saxons, whom the Neighbourhood of their Countrey made obnoxious rather than any fault, that at this time they had committed. Having called an Assembly at *Wormes*, he invaded their Countrey, and destroying all things in his way with Fire and Sword, took the Castle *Eresburg*, and destroyed a famous Idol named *Irmisful*. Here as it is said was his Army miraculously delivered from Imminent Ruine. The season and the place wherein they incamped, both Conspired to kill them with Thirst, when in the heat of the Day, as according to the Custome they took their rest, a great Torrent of Water poured it self down from the Mountain whereon the Idol stood, into the Valley where they lay, which abundantly satisfied their parched Bodies. Then the Idol being destroyed, he marched to the River *Wifara*, where he received twelve Hostages from the Saxons, and so returned into France.

30. By this time, the Quarrels betwixt the Lombards and the Bishop of *Rome* were come to an height, and the two Daughters of *Defiderius* being returned home, the one as a forlorn and rejected Creature, the other like a poor Widow with her Children at her back spoiled of their Patrimony, and turned out of House and Harbour, had raised, as well they might, storms of Anger and Revenge in their Father's Breast. Yet having digested his Anger, he resolved to go Calmly to work, and try if by fair means he could compass what else Nature obliged him by force to attempt, and that was the Restitution of his Nephews. He applies himself to *Adrian* the Succedour of *Stephen*, who he hoped might entertain more milder Councils, and prove more Neighbourly than the former Pope, and knowing in what Repute his See was abroad, especially in France with the Kings and Princes, of which his Predecessors had done wonders, he desires him to acknowledge their Title, and doe his endeavour for their Restitution, as a means whereunto he desired they might be anointed by his Hands. *Adrian* was not so ill instructed, nor unacquainted with what was past, as to be ignorant in how fair a way he was for gaining a farther interest in Italy, and by what means his Predecessors had got what he now enjoyed. He refused to disoblige Charles, and by his answer *Defiderius* perceived that he had roused a sleeping Lion, who in expectation of assistance from France, would not stick at doing him all mischief imaginable. He thought it his interest to begin first, knowing in case he could bring the Bishop and his Adherents to a compliance, his work with France would be the easier. He therefore attacks and takes several places belonging to the Exarchate, making as if he would besiege *Ravenna*, and upon some farther disgust *Rome* it self. Hereupon to procure delay,

H h h 2

Adrian

Carloman dies.

Charles seizes his Kingdom.

And invades Saxony.

Jehan. Titius in
Disquisit. de Re-
bus Gallicis in
Caroli Magni.Barenus Tomi
9-Editio prima
qui demon in-
venit ante Edi-
tionem alteram
in duobus libris
Rerum Gestarum
Caroli Magni
1. Monacho Sengel-
lingi Confessario
causam divor-
tium fuisse, quia esse
Clementia, & ad
Baptismum
prolem Inhabitu-
Vide Bar. ad
Ann. 771. n. 3.
qui cum Bertram
vocat. Alii
scribunt uxorem
Carlomanis fuisse
Clementiam, & ad
Baptismum
fuisse forensem
qui Card. Conques-
nonnulli dicunt
fuisse Germani-
cam. * Alter ab in-
dimo varium in
falsitate sentit,
Ergo, erat apud
Barenium ad
Ann. 786. n. 7.The Marriage
consummated.Carlomanus
Rex decessit 11.
Novem Decemb.
in villa Salma-
nensis sepelitus
Remm. de An-
ales Pith. ad
Ann. 771.The Lombards
and the Pope
quarrel.

SeCt. 4. *Adrian* sent him some frivolous Message; but an effectual one into *France* to *Charles*, to hasten away relief with all speed imaginable.

The Pope sends
to Charles for
assistance.

31. *Peter* his Messenger or Legate à *Latere*, if you please, found the King at *Thionville*, where he exposed to him the danger wherein the Holy Church at present stood, and the Example of his Predecessors upon such occasions, backed with this strong Motive, that this present Attempt was made upon him for his sake, for refusing to anoint his Nephews. *Desiderius* fearing what might come of *Peter's* Negotiation, thought fit to send Ambassadors of his own to recriminate the Bishop and excuse the late Hostility. *Charles* gave Audience to the one Party, as well as the other, but knowing how nearly he was concerned to abate the Power and Interest of the *Lombard*, and that if his Neighbours house was burnt, his own might speedily be on Fire, resolved to prevent it with a speedy Invasion. Yet to use the same Arts *Desiderius* had done, he sent Messages to him, requiring such things as the King thought himself obliged not to grant, and vailing his own Designs and Interest, with the great Zeal he had for the Church. " *Desiderius* receives the Ambassadors kindly, professes his Actions warrantable before all equal Judges, both in reference to the Recovery of his Rights in *Italy*, and the Restitution of his Grandchildren; and he desires his Brother *Charles* would not give heed to the Bishops of *Rome* interested Persons, and his professed Enemies, but seriously weigh what Justice he had on his side, and that he would be Chancellor betwixt himself and his two young Nephews (for Uncle he was unto them both) whether their Fathers Inheritance could justly be detained from them. This said, he sent his Ambassadors to *Rome*, to try if he could bring the Bishop off to his Party. But this not succeeding, he himself resolved to go thither in Person, as to perform his Devotions with his Wife and Children, and an ordinary Train; which *Adrian* understanding, commanded the Gates and Walls to be manned against him, and because the Churches of *St. Peter* and *St. Paul* stood without the Walls, he ordered they should be fast locked up. And to stop his proceeding, he sent certain Churchmen to meet him on the way, and denounce the Ecclesiastick censures against him, in Case he would not desist. He obeyed, and after the Ambassadors had gone betwixt them several times to no purpose, they returned into *France* to him that sent them.

32. *Charles* to make the World believe how unconcern'd he was to any Interest of his own, and that the Protection of the Church was the onely thing he studied, sent once more to him, offering him such a sum of Money in exchange for the Towns he had taken, as would have been much to his loss to have received. Upon his refusal, he thought he had made Provision enough for his Reputation, and resolving upon an expedition before-hand, assembled his Estates together to Consult. The *Franks* were not all of the same mind; for many declared against the War, and some perhaps addicted to the party of the Sons of *Carloman*, flatly refused there-in to serve him. This notwithstanding, he was to bent upon his Journey, as he resolved by no advice or other rubs to be hindered, and for this purpose made such Levies, and got together such a Company of Men as evidently shewed (which *Sigonius* observes) that the desire he had to Conquer *Lombardy* rather was the Motive that spurred him on to this Enterprize, than any Zeal he had for the defence and security of the Church. The Rendezvous was at *Geneva*, and there he also held the Assembly of the Estates, though in *Aimoinus*, as now we read it, it be said that he held a Consultation at *Germana*, a City of *Burgundy* upon the *Rhone*, and that there also he divided his Forces. But this City has had the misfortune to lye under mistakes, as to its Name, as well as of late Years, in reference to its Government and Laws in force, before the last Revolution. It's most probable, that as well the little Province, as Territories about it were in succeeding Ages sometimes under the same Lord; yet it is clear from History, that six hundred Years ago or more, they were under several Princes or Potentates, yet neither in this space of time, nor that which went before, nor that which followed (to use the words of a learned * *Jesuite*) was the Town of *Geneva* ever under the Power and Jurisdiction of any of her Bishops.

oppidum in ultis suorum Episcoporum fuisse potestate. Moneus in Geograph. Gallie Celtice, p. 312.

Who prepares
for an Invasion
of Lombardy.

The situation of
Geneva.

33. This City is seated at the Western Head of the Lake *Lemanus*, where the River *Rhone* issues out of it, at the Confines of five several People (as they were reckoned of old) there meeting with the Angles of their Territories, viz. the *Autuaters*,

* Neque tamen
aut illo, aut pri-
us aut postea
tempore quocumque

tuates, *Focantates*, *Genevenses* on the left side of *Rhone*, and the *Brannovii* and *Lantobrigi* on the right. Its Name hath been variously changed and corrupted by unskillful Historians and Geographers. As besides this of *Aimoinus*, in Authors of a thousand Years standing or thereabout, for *Geneva* you shall ordinarily find, *Genava* and *Jenoba*; but those that have scribed within these three hundred Years, as unskillfully, as commonly call it in Latine *Gebenna*, and its Citizens with the Inhabitants of the places adjoining *Gebenenses*, most corrupt Words forged in the ignorant Heads of some Pedants, who had read a most gross and silly Interpretation of that passage in *Lucan*: *Qua Montibus ardua summis, Gens habitat cava pendentes rupe Gebennas*: This taught them that *Gebenna* was a Mountain, which separated the *Arverni* from the *Helvetii*, and had a City upon it called by the same Name. By this fond Comment the Youth was generally cheated throughout *Europe*, which drunk in the Notion as proceeding from an Oracle, and in ordinary writing used the word *Gebenna*, rejecting the old and true one of *Geneva*. This filthy Error was especially propagated amongst the Ecclesiasticks, such as commonly wrote, their Books lying open to the Cheat above all Men. But to undeceive the Reader; these Mountains * *Gebenna* or *Cebenna* (in French *les Cevennes*) in no respect appertained to the City of *Geneva*, nor yet to the *Helvetii*, from which they are distant above fifty Leagues; but lye amongst the *Helvii* (not *Helvetii*) the *Arvernii*, *Volci*, *Ruteni* and *Cadurci*, of which People † *Lucan* speaks, and not of *Geneva*, the Inhabitants whereof with others adjoining he had mentioned before.

Arvernos ab Helviis distulit ut scribit iste Caesar. Cebennarum pars Lofra valde Legeva, Mons altissimus in finibus Gahabarum, C. c. lib. 2.
† Et passus Caesar per Gallicae rura Colores,
Evocat ex montis Romanis petri undique signis.
Deferre cava tenetia fissa Lemani.
Calatrque, que Vestis curvum super ardua rapem.
Pugnaces pulvis exhibebant Lingentes Armi.

34. *Charles* at *Geneva* divided his powerfull Army into two Parties, whereof one he committed to the Conduct of his Uncle *Bernard*, to march before by the way of *Mons Jovis*, or *Jupiter* his Mount (by *Fauchet* called *Mont jow*, by others, said to be that which now is known by the Name of *Genebra*, the Top of the *Alpes Cottie*) to seize upon the *Straits*. The other he purposed to lead himself by the Road which lay toward the Hill *Canisus*. *Desiderius* upon Notice of their Intentions, had sent some Companies to secure the narrow Passages, he himself with his Army marching after and expecting what should be the event: The *Franks* coming to make their passage, found such opposition as discouraged them; and here, if you please to believe those that favoured one of the Parties, a great Miracle was wrought; and doubtless it was in his behalf. For the *Franks* not knowing what Course to take, as utterly unable to break through, stood gazing with their Fingers in their Mouths, when all on a sudden to their no little wonder, they saw their Enemies run away in a Panick fear without any at their Heels, without as much as one Man got through the passage to look at them, or any Accident at all arrived to affright them. Seeing so great a Miracle was wrought, they must not be wanting to it, and themselves, but through they pass, and Manfully hew down all before them. Possibly some might discover a new Path, and climbing over the Mountains come upon the Backs of those that possessed the *Straits*, a thing as the Reader may remember practised in other places of this Nature, and they being either killed or running away the Army might take a false Alarm, and run for Company, as hath been usual. *Desiderius* was now in an ill Case, as *Aistulph* his Predecessour had often been upon the like occasion, and no wonder he and his Countrey men might smell unfavourably, being put into such and so many frights by Procurement of those, who first cryed *foh* and stopt their Noses.

Charles beats the
Lombards.

35. *Desiderius* with *Adalgisus* his Son, and the Captains of his Army ran towards *Pavia* as fast as their Horses could carry them, whom when the fit of *Wanderment* was over, the *Franks* followed, and there closely besieged him. The King thinking it not prudence to venture all in one bottom, sent his Son, a young Man of singular hopes, together with the Widow and Children of *Carloman* to *Verona*, he himself staid in *Pavia* which was very well fortified, and to inable it the better to endure a Siege he had sent out into the Countrey all the Weak, and unprofitable multitude. *Charles* perceived the Town would endure a shock, and thinking it no good Husbandry to have all his Men idle here, when fewer would serve the turn, and there was Work elsewhere, left his Uncle before *Pavia*, and led part of the Army against *Verona*. *Adalgisus*, the Son of *Desiderius*, finding this City in no Case to hold out, made his Escape, and got him to *Constantinople*, hoping to relieve himself

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* Gebenna Mons
Casari, Cebenna
Plinio, Cebenna
Straboni, A-
quitaniam & Gallia
Narbonensem divi-
dit, ut desinunt
idem Strabo, Pli-
nius & alii, &
Arvernos ab Helviis
distulit ut scribit
iste Caesar.

Vide Anastasium.

Alli ut Godefridus
de Vieteris
Gapsinis &
Paulus Amili-
us alunt mac-
nam primum
fuisse commis-
sum, quo multa
millia occide-
runt.

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himself to better times, which the Inhabitants perceiving, thought it not amiss to provide for themselves also in the contrary way, and upon good Terms yielded to him, who they had good reason to believe would prove the Conquerour. The Wife and Children of *Carloman* became his prey, whom having got into his hands he sent away speedily into *France*, and as the *French* Annals will make you believe there they were entertained very Honourably, though how, and in what manner, they either cannot or will not, or rather dare not tell you; to be sure they paid well for their Entertainment be it as good as could be, for we do not hear that they were ever restored to their Inheritance. *Verona* being thus delivered up, all the rest of the Cities of *Lombardy* followed their Example, only *Pavia* still held out, being every way furnished for a Siege of long Continuance. *Charles* perceiving this, and resolved to tire them out, having now spent six Months in the Siege, and *Easter* drawing nigh, resolved to satisfy his Curiosity in seeing *Rome*, as well as pay his Devotions at the Sepulchres of the Apostles.

And subdues all
Lombardy, ex-
cept *Pavia*.

Which is fur-
rendered to him,
with their King
Desiderius.

The Saxons in-
vade *France*.

36. How he was there entertained, and what farther passed betwixt him and the Pope, will be more proper for us to enquire in the History of that Country; here we shall only say, that eight days after his coming to *Rome*, he returned to the Siege of *Pavia*. Here within a while his Work was done to his hands; those whom his Arms could not Conquer, were constrained to yield to Death, that Conquerers all Men, many of the stout Defendants perishing by a Plague, and as it were attending the Expiration of the Kingdom of the *Lombards*. *Desiderius* seeing it was to no purpose to stand out, and that the longer he did it, his Terms might be the worse, yielded himself with his Wife and Children unto *Charles*, who sent them to *Liege* in *Gallia Belgica*, where they wore out their days in Honourable restraint, and then as some say, in order to the Settlement of this his new Kingdom, made another Journey to *Rome* to consult with the Pope, which done, and all things ordered as seemed most convenient, he returned back into *France*. Here more work was cut out for his itching hands, for the *Saxons* irritated with what he had done to them, and presuming upon his absence had invaded their Neighbours, and made great waste and slaughter where e'er they came. To restrain them he sent three Parties by many several ways into their Country, which did them very much mischief by burning and plundering their Houses, and killing and taking Prisoners as many as they could meet with. But this did not satisfy the King, he resolves either wholly to Conquer them, and bring them to Christianity, or to root out and quite destroy the Nation. As a means to accomplish this, he summons the Estates to meet and lay their Heads together at *Duren*, or *Duria*.

But are forced
to beg Peace.

37. The meeting dissolv'd, and an Army prepar'd, he passes the *Rhine*, and presently takes a Fort called *Siegburg* by storm, wherein was a Garrison of the *Saxons*. *Eresburg* another Castle which they had demolished, he caused to be rebuilt and Garrison'd with a Party of his own Men. Then passed he on to the River *Wifara*, where he found a great Company met together at a place called *Brannenberg*, with intention to put a stop to his March; but in vain, for at the first encounter they were worsted, put to flight, and many slain. The place where *Charles* encamped, *Krantzius* tells us, in his time was full to be seen distinguished into the Quarters or Divisions. Passing then the River after this Obstacle was removed, he came to another called *Onacer* or *Onacra*, where he was met by *Flessi* one of the Princes of the Country, who together with the *Offsali*, or those that lived toward the East surrendered themselves into his hands, and gave such Hostages as he demanded. Hereupon he retreated, and coming to a place called *Buki*, the *Angarii* presented themselves, and followed the Example of the *Offsali*, in swearing Obedience, and delivering Hostages. But part of his Army he had sent to the River *Wifara*, and that met not with so good Fortune, by reason of their Carelessness and Negligence. For at a place they called *Hadbeki* incamping themselves, and sending out their Foragers the *Saxons*, who spake the same Teutonic Language with them, and it seems had clothed themselves on purpose after their Fashion, joynted themselves and mixed with them, which done, without any discovery they returned with them into their Camp, and expecting an opportunity when the *Franks* were asleep, fell upon them and killed a great number, yet by the Valour of such as escaped the danger, were beaten again out of the Camp. *Charles* having notice of the Stratageme marched with all speed toward the Camp, and cut off a great multitude of those that fled, which having done, and waited for the Country, that he forced also the *Wessali* to beg Peace, and give up their Hostages, he thought it convenient to return and take up his Winter Quarters in *France*.

Aimoinus, lib. 4.
c. 70.

38. He

Charles chastises
the Rebels in
Lombardy.

Another Inva-
sion of the *Sax-
ons*.

Who are forced
to beg Peace,
and give up Ho-
stages.

Charles makes
an Expedition
into *Spain*.

38. He was scarcely arrived at his Palace, when News was brought him out of *Italy*, that *Rogand*, a Duke of the *Lombards*, whom after the defeat of *Desiderius*, he had preferred to the Government of *Forumjulii*, had rebelled and drawn back many of the Cities of *Lombardy*, under pretence of returning to the government of their own Kings; for *Adalgisus* at *Constantinople* had watched all opportunities, and hovered over *Italy* for a convenient season to re-enter. After a little consideration he caused his most active and resolute men to make ready, and with little noise, but great expedition, halted into *Italy*, where he presented himself, and gave Battle to *Rogand*, when they thought he had been engaged in the same manner in *Saxony*. He easily overpowered him, and receiving the Towns which had revolted, upon their submission, re-settled all things, and returned as speedily and unexpectedly into *France*, as he had thence departed. He knew he had good reason to do so, for he expected fully to hear that the *Saxons* had once more rebelled, and so he did, as soon as he had passed the *Alpes*; for they had taken the Castle of *Eresburg*, and had laid Siege to the other of *Siegburg* where they found greater opposition. The Garrison made very gallant Salles, and did great Execution upon their Enemies, who were more affrighted by a Vision, two fiery Helmets appearing, it's said, on the Top of the Church: which struck them with such amazement, and so powerfully convinced them that God Almighty fought against them, that in a Panic fear they quitted the Siege, and fled as for their Lives, which yet many of them lost; for the *Franks* issuing out of the Fort, pursued them as far as the River *Lippia*.

39. *Charles* summoned the Estates to meet at *Wormes*, where it was resolved a sudden Invasion should be made into *Saxony*. And so sudden it was, that he surprised them, and prevented all their preparations for resistance, so as they were forced to use the Skin of the Fox, not being now able to compass that of the Lion, and meeting him at the Head or Spring of *Lippia*, in a most suppliant posture begged pardon for what was past, and many of them hypocritically offered themselves to be baptized. Upon this submission he readily forgave them, and causing such to be baptized as presented themselves, received their Hostages. Then commanded he the Castle of *Eresburg* to be repaired, and another Fort to be erected upon the River *Lippia*, wherein he placed a strong Garrison, as a Curb upon the Country, which done, he marched back into *France*. But this was with a purpose of returning the Year following. For as soon as *Easter* was over, he again invaded *Saxony* with a great Army, and to settle the People in his Obedience, which he still very much distrusted, appointed a general Assembly of them to be held at *Paderborn*, a City of *Westphalia*. Here all the Nobility, as well as the People, met, except one *Widichind*, who conscious to himself how much he had disobeyed and incensed the King, durst not adventure to be present, but fled to *Sigifrid*, the King of the *Danes*. All the rest that were present submitted themselves fully to his Commands, and desired Pardon on this condition, that if ever after they rebelled, they should forfeit both their Lands and Liberty. Many of them now again, but only upon design to please him, renounced Paganism, and were baptized. He caused to be seized *Angrye*, the principal Town belonging to *Widichind*, and for Instruction of such as had been baptized in the Christian Faith, founded an Episcopal See at *Osnaburg*.

ajôbir: c'est celui de langage rustique: *Ingenitatem* est *Aldem* manibus *adagrum* fecerunt, qui signifie le Mefme. Carie n'ay nuyce ces mots que pour marque de l'antiquité, & représenter nostre langue. Panchen, en *Charles* malgne.

40. But while he was making an end with the *Saxons*, an Address was made to him by one *Ibnalorabi*, a Petty *Saracen* Prince in *Spain*, who, with several others of his Countrymen, was come to complain of his Neighbour, to desire his aid, and give up himself and his Dependents wholly to his Power, on condition he would go and make War against the Aggressor. He considered seriously of the matter. The *Saxons* now seemed to be quieted, *Italy* was also in repose, and in as good a condition as he could wish, and in *France* it self was no appearance of any trouble, he could not be idle, his military Men would rust and grow unserviceable, if they had nothing to do, and above all things Dominion was agreeable to his Desires, Opportunities and Abilities, hoping therefore by this means to get some footing in *Spain*, he resolved upon the Enterprise. His resolution being fixt he made all possible haste to be there, and would not defer his Journey till

Easter

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*Tunc en persuasi-
one pradiiti Sa-
raceni spon capi-
enturum in His-
pania Christianam
fidei fuisse con-
versos, etc.*
Aimoin 4. c. 72.

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The Treachery
of the Saxons.

the *Comes Stabuli*, and *Woradus* a Count of the Palace, to raise a sufficient number of the Eastern *Franks* and *Saxons*, and therewith to chastise the Insolence of these Rovers. They, when they came upon the Borders of *Saxony*, to their wonder and disappointment, instead of Assistance, found the *Saxons*, by the Practices of *Widukind*, ready to fight against them. It happened well that they met with *Theodorick*, a Count, the King's Kinsman, who hearing of the Revolt, had levied Forces all on a sudden in *Ribwaria*. He offered to join with them, and set upon the *Saxons*, who had incamped on the North side of an Hill, called *Suntel*, and they seeming to close with him, ordered him to take one way, and they would march another, so as to incamp the Hill, and surprise them. But they feared lest he should have the Honour of the Victory, and therefore resolved to fall upon the Enemy by themselves, before he could come up and meet them. And on the Enemy they fell, not in any order, but confusedly, every one putting Spurs to his Horse, and striving who should be the foremost to seize the Prey, which they doubted not that would fall into their Hands. They were so warmly received by the *Saxons*, but they were all in a manner slain, those few that escaped betaking themselves to the Army of *Theodorick*. Amongst others fell *Adalgisus* and *Geilo*, besides four Counts, and twenty Noblemen.

Who are found-
ly beaten in the
next Expedition-
on.

45. The News of the defeat being brought to *Charles*, in great indignation he raised an Army, and entered *Saxony*, where calling before him the Nobility, he inquired into the Authors of the Revolt. All the blame was laid upon *Widukind*, but he, aware of what would follow had again withdrawn himself into *Danemarke*, or amongst the *Normans*, as our Authors call them, and no example of severity could be shewn upon him. Of those therefore which, moved by his Persecutions, had risen in Rebellion, and destroyed so many *Franks*, no fewer than four thousand and five hundred Men were delivered up, whom he commanded all in one day to be beheaded upon the River *Alarus*, at a place called *Fredi*. This severity was great enough, and possibly too great, for instead of awing the *Saxons*, it drove them into a rage, and caused an universal Defection. Then was more work made for the King, who being in honour obliged to prosecute the business to the utmost, made preparations in Spring for another Expedition, when by a Domestic Accident his Journey, for some time, was retarded. The last day of April was the last of the Life of *Hildegardis* his Queen, whose Funerals he staid to see Royally solemnized, and then he began his march for *Saxony*, where the Natives were prepared to receive him at a place called *Theotinelli*, as *Aimoinus* hath it. He fell on them so suddenly, that he made a very great slaughter, and of so vast a multitude very few escaped. From the place of the Battle he marched to *Paderborne*, where making some stay for other Forces, which he had appointed to follow him out of *France*, he understood there was another Party of *Saxons* assembled at the River *Haja*, with Intention to give him Battle, if he came that way. The supplies being arrived, he marched thither, and had the same success, putting to the Sword an innumerable multitude, and taking very many Prisoners. Thence triumphantly he marched Eastward, first to the River *Wifara*, and then as far as *Albia*, wafting all things in his passage. This done, he returned with his Victorious Army into *France*, where he presently married *Fastrada*, the Daughter of one *Radulf*, a Count, a *Frank* by Nation, by which he had two Daughters. The same year he married her he lost *Berrada*, his Mother, who died on the twelfth of July. All the Winter he spent in the Village called *Heristall*, and there kept both his *Christmas* and *Easter*.

Charles endeavours
to finish
the War with
the Saxons.

46. Thence as soon as the season would well permit, he resolved to return, and finish the War with this stout and pertinacious People. Passing the *Rhine*, he wasted *Westphalia*, and coming to the *Wesere*, when he perceived he could not do the same by the Northern Party of *Saxony*, by reason of the Waters which overflowed the Country after great Rains, he himself went into *Thuringia*, commanding his Son *Charles* to stay with part of the Army in the Borders of *Westphalia*. Through *Thuringia* he marched into the Champion Parts of *Saxony*, being near the two Rivers *Sala* and *Albia*, and wafting all the Eastern Countries, he then retreated into *France*. His Son *Charles*, in the mean time fought very prosperously with a strong Party of Horse, which gave him battle, with hopes, that though he was the King's Son, he might not be heir to his good Fortune, but having made great slaughter, of them, he followed his Father to the City *Wormes*. But there his Father would not keep him company; for into *Saxony* again he marched, having no patience till he

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he could conquer and subdue this stubborn Nation, and in his Camp, in a Village called *Hutbago*, upon the River *Amba*, he kept his *Christmas*. The Festival being over, he wasted the Country, as far as the place called *Rum*, at the confluence of the two Rivers, *Wesere* and *Wabarne*, and the season of the year, with the great Inundations, prohibiting him to pass farther, he returned to the Castle of *Bresburg*, and there spent the remaining part of Winter.

47. The remaining part he spent not idly; securing his Wife and Children, whom he had sent for, by a strong Garrison placed in the Castle, into all parts, as he could, he made Excursions, killing every Person he could light on, and burning all the Villages. Sometimes in his own Person, and otherwhiles by his Captains, he so plied the *Saxons*, that all Winter long they had no rest, and when Spring appeared, for their farther comfort, a fresh Army out of *France* arrived. Having thus abated their Spirit, as he thought, he held an Assembly at *Paderborne* in a solemn manner, which being concluded, he removed to a Village called *Bardengoe*, where he understood that *Alboin* and *Witichind*, the chief Authors of so much trouble, were retired beyond the River *Elbe*. He sent to them by some of their own Countrymen, advising them as the best for them, when all was considered, to come to him, and own him for their Sovereign Lord, which so wrought on them, together with the late miseries sustained by the War, that they refused to appear, upon no other grounds, than that they had no Hostages for their security. He sent them Hostages by one *Amalwin*, a Courtier, and then he returned into *France*. They were not long after him, for having received the Hostages with *Amalwin*; they came to the Court at *Atigny*, where all controversies were ended by their receipt of Baptism, and *Witichind* was made Duke of *Angrie*, being, as some have thought, the Progenitor of *Hugh Capet*. Thus Clemency effected that which the Severity of War and Revenge for so long a time could not bring about, and the *Saxons* for some Years continued in Obedience.

Which at last the
effects,

48. But these being over wearied, as it were, with Ease and Fidelity, they returned to their old rebellious humour, and then returned the like slaughters and devastations, as formerly had been committed. Neither could this humour be quite subdued by so many and grievous Calamities, till Industry completed that which Force and Arms had in vain attempted, almost for thirty years together. Such as lived on this side the *Elbe* were by the more frequent Incursions of the *Franks*, sooner tamed, their humours were sooner softened by their conversation, and their fury and violence calmed by the powerful Charms of Christian Religion, once cordially embraced. But they that lived on the farther side this River, being separated from the rest, less accustomed to commerce, and dwelling in no great apprehension of Chastisement, upon every occasion were prone to their old wont of Rebellion. *Charles* therefore passing over the River, caused them to assemble together, and easily procured them to take the Oath of Fidelity, to which they had been as much accustomed, as to break it. This done, he persuaded them to make an Exchange of this their Country, which was cold and barren, for better Lands, which he would find out elsewhere. Ten thousand of the most stout and considerable among them, with their Wives and Children, he transported over the *Rhine*, and planted them amongst the *Franks* in *Brabant*, *Flanders*, and other places. And that these that remained might not return to their perfidious practices, and the grounds lie waste and useless, he caused the *Abroditæ*, a People he could trust, and the next Neighbours, thither to remove themselves. Moreover he settled a Council in the place, which was to use great severity toward such as falsified their Faith, the Image of which continued in those parts many Ages after. The Conclusion of this War, and this Transplantation of the *Saxons* happened some time beyond the period of this present Volume; some say in the thirty third year of the War; but we were unwilling to leave the Reader altogether in the dark, as to its issue.

By transplanting
them.

49. *Charles*, by his Clemency to *Witichind* and his Party, settled the Affairs of *Saxony* for a certain time, when his contrary carriage to the Oriental *Franks* or those of *Franconia*, living beyond the *Rhine*, procured a quite contrary effect amongst them. His second Wife, *Fastrade*, was of a quite different humour from that of his first, of an high and turbulent Spirit, intermeddling with Affairs of State, and disquieting both her self and Husband, as such Women are wont to do, if her ambitious, envious and covetous desires were not in every point overborne. Overcome by her vexatious Importunities, he entered upon some severe Courses, which cast the Nobility of *Franconia* into a Conspiracy, through the persuasion of one *Hartrade*, a Count. But herein, as in his other Affairs, the good fortune of *Charles* appeared,

A Conspiracy.

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appeared, that he had notice of the Plot, e'er it could break out into any open Act, and by his Prudence and Expedition prevented the mischief intended, the Conspirators being timely apprehended and committed to Custody, with whom, as conscious that his contrary acting had given them some provocation, he resolved not to proceed with cruelty. Some were deprived of their sight, others sent into banishment, some absolutely pardoned, and none put to death, only three were killed by the Officers, from whom they fled. Charles having so happily prevented this designed mischief, as the Foster Child of Fortune was still led on from one felicity to another. The Inhabitants of *Armorica*, or *Little Britain*, for all his great Successes and Name, were unwilling to pay their accustomed Tribute, which the Kings had accounted their due, ever since this People being expelled by the *Saxons* and *Angli* out of the British Island, and having seated themselves in the Territories of the *Venetii* and *Caropolitæ*, had from *Scylla* fallen upon *Charibdis*, and flying from the Yoke of one, had been forced to submit their Necks to that of another. Sometimes they refused to pay their Money, with what success we have formerly seen; now and then, as they saw their opportunities, they would rebel, and turn open Enemies invading and ransacking the neighbouring French Territories, but still in the end were forced to return, and join themselves in the yoke of Servitude with the rest of the conquered or truckling Nations. Charles disdained to bear that Indignity which the meanest of his Predecessors would not endure, and dispatched away *Audulfe*, the Overseer of his Table, with Forces sufficient for chastising and reducing them, who had such success, that without much ado he brought them to crave Pardon, and promise all good demeanour for the time to come, for confirmation whereof they gave up their Hostages, whom, with many of the Nobility, he presented to the King, then lying at *Wormes*.

The Britains of
Armorica reduced to Obedi-
ence.

He makes ano-
ther Voyage in-
to Italy.

50. *Gall* was wholly now in repose, and in perfect Obedience, not the least stir nor accident happening, which might make him work. Being so much at leisure, he thought it as profitable as grateful to his Humour, to make another Voyage into *Italy*, and visit those foreign Dominions, which he had not of so long a time beheld. He had some reason, for *Aragise*, Duke of *Beneventum*, began to grow very formidable, making up again a little shew of a Kingdom, and having never thoroughly submitted himself, nor owned the Authority of the *Franks*. Upon him Charles resolved to fall on a sudden, and take him unprepared, to which purpose in the middle of Winter he took his Journey, and having made his passage over the *Alpes*, and through the Snow, kept his *Christmas* at *Florence*, which over, he departed with all speed to *Rome*. Here having for some time consulted with *Adrian* the Bishop, and the rest of his Friends, he buckled himself to his March toward *Beneventum*, the Seat of the Dukedom, a City of *Sammium*, to which was subject *Campania*, the *Salernitani*, with all *Calabria*. *Aragise* knowing himself surprized, and at best inferior to the King in strength, betook himself to craft and policy. He sent to him *Ruold*, his eldest Son, with Gifts and good Words, to divert him from his purpose, but he was too tenacious of it to be so put off, and taking the Messenger along with him, marched to *Capua*, the chief City of *Campania*, which he besieged. *Aragise* perceiving what must be the Issue, left *Beneventum*, and betook himself to *Silernum*, a Town both stronger, and standing upon the Water; whence he sent to him *Grimoald*, his other Son, to deprecate his Displeasure, and promising him to obey him in all things he should require, which good language and condensation fo wrought upon him, that retaining *Grimoald*, as an Hostage, he sent his elder Brother home to his Father, with some Noblemen of the French Army, who were to receive the Oaths and Hostages of the several Cities, which being done, he drew off his Army, and returned to *Rome*, where he kept his Easter.

He invades Ba-
varia.

51. Having dispatcht his Affairs thus in *Italy*, though all was clear on that Coast, when he came out of *Gall*, yet now another storm was gathering in *Bavaria*, where *Tassilo* the Duke plaid fast and loose, being merely by fear and awe kept from openly violating that Agreement he had formerly made with *Pipin* and his Posterity, and ever and anon ready to renounce obedience, when he perceived there was any probability, either by reason of his own Advantages, or the Incumbrances of *Charles*, to succeed in his Designs. But hearing now that the *Lombards* were absolutely reduced, and that his Kinsman would be at leisure to call him to an Account, he sent his Ambassadors to *Rome*, where *Charles* still resided, to desire of the Bishop, that he would beget a perfect understanding betwixt them. The Bishop was very ready to become Author of so good a work, and *Charles* was not so averse, but that he easily brought him to close with the Offer, so that there wanted

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nothing but to sign the League, and confirm the Agreement. But the Ambassadors being demanded what Power they had to conclude or ratify the Treaty, denied that their Instructions or Commission extended any farther than merely to understand the Pleasure of the King and Bishop, and return their Answers to their Master. *Adrian* hereat conceived great Indignation, as fooled by a trifling Message, and sent them away with Threats of Ecclesiastical Censures, in case *Tassilo* stood not firm to the former obligations he had made to the House of *Pipin*. *Charles* thought it best not to be long after the Messenger, and taking his leave of the Bishop, departed to *Wormes*. Here finding his Wife and Family, he called an Assembly of the Estates, wherein the whole matter relating to his late Exploits in *Italy*, and the business of *Tassilo* was reported, and so far as it was reported and feared, that this *Bavarian* Duke would call in the *Hunnes* to his assistance, it was unanimously resolved to raise a very considerable Army, wherewith *Bavaria* in three several places should be invaded.

52. On one side *Pipin*, the Son of *Charles*, with his Italian Forces, was ordered to march over the *Rhetian Alpes*, and invade the Country from the South. From the North the Oriental *Franks* and *Saxons* were to give the Onset; and the King himself, with the third Party, resolved to fall on where the River *Leccus* divided the *Bavarians* from the *Alemanni*, at the City *Augusta*, so that *Tassilo* should have no way to escape, except he took that of the East, toward the Territories of the *Hunnes*, which if he did, then would the *Franks* enter, and seize upon his Dominions. *Tassilo* found himself so intangled, that he laid off thoughts of invading *France*, wherewith, at the Instigation of his Wife, and the Promises of the *Hunnes*, he had flattered himself, and cast himself at the Feet of *Charles*, begging Pardon for his past Errors, and renewing his usual Protections. The King for this time yielded to his importunity, and receiving his Son *Theodo*, with twelve others, for Hostages, returned into *France*, and wintered in a place near to *Mentz*, called *Inglintheim*. Here in the Spring following he held an Assembly of the Estates, whereat all his Subjects and Vassals were commanded to be present, and *Tassilo*, the Duke of *Bavaria*, amongst the rest. He made his appearance; but his own Subjects afraid, it seems of the War which threatened their Country with devastation, in case he should revolt, laid heavy Crimes to his Charge, as that since his last swearing Obedience, at the importunity of his Wife *Lutberga*, the Daughter of *Desiderius*, he had tampered afresh with the *Hunnes*, to procure a strong alliance with them, in order to a Rebellion, with other things and words, which were so aggravated, that he was, as a Traitor, condemned to Death, he not being able to deny what was objected. But the Clemency of the King procured a mitigation of his punishment, for that Head which was to be cut off, was covered only with a Monk's Hood, and *Theodo*, his Son, was thence also, and for company shut up with him in the Monastery, those *Bavarians* that had been of the Conspiracy being banished into several places. The *Hunnes*, as they had promised, raised two Armies, whereof with one they invaded the Marches of *Forum Julii*, and with the other made an Inroad into *Bavaria*, but in both places were worsted, and driven back with great loss of Men. This loss enraged them, and to be revenged, with more numerous Forces they again invade *Bavaria*, but the Inhabitants receive them with such Conduct and Resolution, that having put to the Sword an innumerable Company of them, many of the rest, for fear, took the River *Danubius*, and thinking to swim safe to land, are overwhelmed with the floods.

And thence the
Duke and his
Son.

53. *Charles* having fully reduced *Bavaria*, put the Government into another posture. He made no one Duke over the whole, lest he should commit too much Power into the Hands of one Man, but many Counts or Governors, that their number might render them weaker, and more contemptible. His Hands being now again idle, he must find some other way employ, and rather than want work, he will travel to seek it as far as the very *Baltick* Ocean: There where it passes by *Germany*, in the Territories now belonging to *Pomerania*, *Mecleburg* and *Holsatia*, lived a Nation of the *Hunnes*, fierce and barbarous, in their own Language called *Welatabi*, and in the French *Wiltzi*, or *Fultzi*, always adverse to the Interest of the *Franks*, if we believe their Authors, and infesting ever and anon their best Friends and Confederates, particularly the *Abrodites*. The King not able any longer to endure their Insolence, resolved to make them feel the Effects of his Displeasure, and gathering a vast Army together, passed the *Rhine* about *Coloine*, whence travelling through *Saxony*, he came to the *Elbe*, and pitching his Camp upon the River, over it he laid two Bridges, whereof one on both sides he fortified, and thereon

Sect. 4.
He subdues the
Valtry.

thereon placed a Garrison. Then marching forwards, at length he entred the Enemies Country, which he wasted with Fire and Sword, till such time as the Inhabitants being terrified with his Name, and his manner of proceeding, began to consult how to appease him, and laying their Heads together, the *Reguli*, Nobility and Senate, though they were a Nation Stout and Warlike, gave up themselves into his hands, promising all Fidelity and Allegiance from which they never in the least departed. This Conquest so happily performed, he returned back the same way he came, and in *Wormes* kept both his *Christmas* and the *Easter* following. And that year, which was a wonder, he made no expedition at all, but residing in that City, gave Audience to the Ambassadors that came from the *Hunnes*, and sent some of his own to them; a great Controverſie having arisen about the Borders of their Dominions, which became the Original of such Heats and Malice as could not be ended but by a War. Farther, to busie and divert himself, he passed up the River *Menus*, to his Palace of *Salz* in *Germany*, built upon the River *Sala*, and down again he Rowed to *Wormes*, where Wintering, his House wherein he lived accidentally was set on Fire in the Night and Burnt. Yet he still continued in the place, and as magnificently as ever solemnized the Feast of *Christmas* and *Easter*.

54. These *Hunnes* we lately spoke of, were part of the Posterity of those who in the Reign of *Honorius* powered themselves into *Europe*, and being a most dreadful Plague to the Inhabitants thereof, had seized on both the *Pannonia Superior* toward the West, where are now the Provinces of *Carniola*, *Carinthia* and the greater part of *Austria*; and the *Inferior* also toward the South, which at this day contains *Bosnia*, *Slavonia* and that part of *Hungary* lying towards *Ister* or the *Danube*, so named from those People which were called both *Hunnes* and *Avares*, and as we are told from both words joyned together, known by the name of *Hungari* or *Hungarians*. So long as *Bavaria* continued a Dukedom of it self, there was no occasion of quarrel ministred betwixt these *Hunnes* and the *Franks*, but this Country being fully subdued, and laid to the rest of their Dominions, *Charles* and they began to quarrel about the limits of their Territories. The quarrel arose to that

Picks a Quarrel
with the Hunnes

height, that *Charles* disdaining to receive the least disadvantage, and elevated by the constant success he had had over their Neighbours, from so small a beginning, raised a most tedious and grievous War, which continued full eight years, and then was completed with the Destruction almost of the whole Nation. Making Levies throughout all his Dominions, he divided his Forces into two Parties according to his Custom, to distract and amuse the Enemy the more, whereof the one he committed to the Conduct of *Theodorick* a Count, and *Magnusfrid* his Chamberlain, with Orders to invade the Country at the Northern Bank of the *Danube*; he himself led the other, resolving to make an Invasion on the Southern part by the way of *Bavaria*, the Inhabitants whereof he Commanded to convey Provisions for the Army down the River.

Alias Magnusfrid.

Wasting this
Country with
Fire and Sword.

55. Thus appointed he began his March, and made his first incamping upon the River *Avista*, which separated *Bavaria* from the Territories of the *Hunnes*, and there he spent three days in Prayers and Supplications to Almighty God, for a blessing upon his Expedition. Then invading the Country, he wasted all with Fire and Sword, the Enemy not daring to give him Battle, but securing himself in his Forts, whereof two were very considerable; one upon the River *Cambus* wherewith it was exceedingly Fortified, and another near the City *Comageni*, upon a Mountain called *Cameberg* most difficult of Access. But the Resolution of *Charles*, and the Valour of his Souldiers Conquered both those places, and he went on destroying all things as far as the River *Arrabo*, over which passing his Men, he came to the confluence of it and the River *Danubius*, where he made some stay, purposing to return by the Country of *Gabaria*. To *Theodorick* and *Magnusfrid* he sent Orders to Retreat by the way of the *Begamini* as they came, and then having laid waste a great part of *Pannonia*, he returned into *Bavaria* without any loss or disadvantage in all this expedition, except in Horfes, amongst which raged so great a Contagion, that scarcely the tenth part remained alive of so many thousands. Having dismissed his Souldiers, he himself faith *Aimoinus* came to the City *Regimini* which now is called *Regensburg*, where he resolved to Winter, and there to celebrate the Festivals both of our Lord's Nativity and his Resurrection.

Alias Rabui.

Alias Begmini.

Alias Regim.
Ravensburg.

56. While here he yet resided, Consulting how with best success he might farther prosecute the War with the *Hunnes*, he was in danger of his Life at home by a Conspiracy. He had a Bastard Son named *Pipin*, one of a beautiful Face, but Hunch-back'd, and as deformed it seems in his mind as in his Body, for several great

Men

Another Con-
spiracy.

Men wearied with the cruel demeanour of *Fastrade* the Queen, consulted with him how to prevent her practices by her Husband's Death, and by sending the Father into another World, to make way for his Son's advancement in this. He being either an Authour or the pretext of this Conspiracy, they expect a convenient season to execute their Designs, when the whole Plot and Contrivance is discovered to the King by one *Fardulf* a *Lombard*, and they as Guilty of High Treason were some of them Beheaded, and others Hanged, *Pipin* being shut up in the Monastery of *Prumium*, and *Fardulf* rewarded with that of *St. Denis*. This Conspiracy thus happily blown over, he caused a Bridge to be laid over the *Danube*, continuing still in *Bavaria* and intent upon the War with the *Hunnes*, for which he resolved in the same place to spend the second Winter. When he began to prepare for another Expedition, News was brought that the Forces under the Command of *Theodorick*, in their return through *Frisia* in a Village called *Hutfrist* near the River *Wifara* were intercepted and destroyed. This caused him to put off his Journey into *Pannonia*, though to keep up his Reputation he dissembled the greatness of the Loss.

His endeavours
to promote Na-
vigatio.

57. But lest he and his Men should be idle, he gave ear to the Project of some about him, who pretended they had found out a rare Expedient for the enriching of *Germany*, and the Neighbouring parts of *Europe*, by promoting Commerce betwixt the several Countries. Of the *Rhine* and the *Danube*, the two greatest Rivers of those parts of the World, the one falls into the *German* Ocean, and the other runs Eastward into the *Euxine* Sea. Betwixt these lay two more considerable, in the days of *Aimoinus* or the Authour of that History called *Radantia* and *Alomora*, *Alis Ardenia* & *Allem*, whereof the one mingles its Waves with the *Danube*, and the other empties it self into the *Rhine*. Betwixt these two they advised a Ditch three hundred foot broad should be cut, such as would receive large Vessels, and accordingly the whole Autumn many men were employed, who digged such a Ditch three hundred foot in breadth, and in length two Miles. But all this was lost Labour, it being hard for Mortals to alter that course of Nature, which God Almighty has appointed to sub-lunary things. What they digged on the Day, was by Night filled up again, partly by Earth the Ground being Kenny and loose, and partly by Water, great Rains as is usual at that time of the year falling in those Parts, lying so near to the *German* Ocean. While he thus made himself work in this part of *Germany*, he had other work made to his hands elsewhere by the *Saxons*, who universally Revolted, and the *Saracens* who having entred *Septimania* defeated in Battle such Counts and others as opposed themselves in defence of the Country, and having put many of the *Franks* to the Sword, returned victoriously to their own Homes.

The Saxons re-
volt.

58. In the beginning of the following Summer another Accident happened, which however he took it to his Subjects seemed not unluckily, and that was the Death of his Wife *Fastrade*, who was Buried at *Mentz* in the Church of *St. Alban*. Having taken care for her Funeral, and held an Assembly of the Estates, he divided his Forces into two, and resolved to renew his ancient Hostility with the *Saxons*, giving order to his Son *Charles* to pass the *Rhine* at *Coloin*, and with one half to invade the Country on the West, while he himself by the way of the South, with the rest of the Army should attack them. This being done, although the *Saxons* had pitched their Camp in the place called *Smetfeld*, and there in appearance expected his coming as ready to give him Battle; yet the matter was so carried, that despairing of that Success which they had lately promised to themselves, they cast away both their Arms and Courage, and as universally begged pardon, as they had committed the Offence, and without fighting a stroke, both gave up their Hostages, and according to their old Trade took the Oath of Fidelity. This being over, the King returned into *France* and Wintered at *Aix*, and in Spring following not being unkindfull of the perfidious humour of the *Saxons*, held another General and solemn Assembly of his Estates, beyond the *Rhine* in a Village called *Cassefin* not far from *Mentz*, and thence with an Army re-entred and wasted almost all *Saxony*, and coming to a Village called *Bardengum*, he encamped near the place called *Bardenbuck*, and there expected the coming of the *Slavi* whom he had sent for.

Bardenwick.
Bardenbuck.

59. In the mean time News was brought him that *Wizin* the King of the *Abrodite* as he was passing the River *Elbe*, was intrapped and slain by the *Saxons*, which fact farther enraged and provoked him to be revenged on this perfidious Nation. All that he could do was again to waste their Country, and receive more Hostages, of which doubtless having so often broken their Faith, they were not at

all

Se^{ct}. 4. if not the growth of the Party contrary to his Interest, and seemed to threaten the Authority of a Prince, whose absence encouraged a People as yet not fully settled to a Revolt.

Where he is
magnificently
received by
Pope Leo.

And Crowned
Emperour.

64. The day before he arrived at *Rome*, twelve miles off at *Nomentum* Pope *Leo* met him, and having Supped with him that Night, returned to the City to be ready for his solemn reception the next day. He rode on Horseback to the Stairs of *St. Peter*, where *Leo* with all his Bishops and Clergy received him, and with solemn procession conducted him into the Church of that Apostle. After seven days he called the People together, and laid open to them the cause of his coming, the Principal whereof was, as he said, to make Inquisition about those Crimes which were laid to the Charge of their Bishop. But no Accuser appearing, *Leo* with the Gospel in his hand went up into the Pulpit, and there in presence of all the People purged himself by Oath of the things objected. On *Christmas*-day, the King being come to *St. Peter's* Church to hear Divine Service, as he knelt before the Altar, *Leo* set a Crown on his Head, and all the People Acclaimed to *Charles Augustus*, Crowned of God the mighty and peaceable Emperour of the *Romans*, *Life and Victory*, which Acclamations over, he was according to the Custom of the ancient Princes adored by the Bishops, and leaving off the name of Patritian, was saluted Emperour and *Augustus*. So was the Title of Emperour revived again at *Rome*, from what Inducements, how legally, and in what manner we shall consider more properly and fully in the History of that Country. Here we see the *Franks* advanced above all the rest of the Western Nations, and a King but of the second Head raised prodigiously to so sublime a pitch of Grandeur, how and by what Degrees both Nation and Family arrived at this height, we have as fully discovered as the nature of this Work will bear. Here we must leave *Charles* upon his Imperial Throne, but e'er we take our leave for altogether, we are obliged to return to his Cradle and take some notice of the Tongue he first spake, with other things belonging to the most ancient State and Customs and Policy of this considerable Nation, which in the precedent History could not but too abruptly and confusedly be performed.

The *Sicambri*
or *Teutonic* D
alect was their
Language.

The Names of the Months.

Of the Winds.

65. To begin with their Language, as the great both Effect and Sign of their Original on which we have already so largely insisted, it's certain it was the *Sciambran* or *Teutonic Dialect* that their first coming into *Gal*, and so even to the time of *Charles* it continued. There were other Languages indeed spoken in the Country where they inhabited, one whereof at length partly swallowed up, partly expelled theirs, but that could not be but by degrees, and in many years use and conversation, so that though many words were slain in upon both, and those that were Learned or Nobly Educated, spake as well the one as the other, yet for the Rule or substance, the *German* or *Teutonic* still continued in ordinary use and practice. Nay, it was the Language of the Court, as appears from what we are told concerning *Charles* the Great himself. *Eginhart* an Author beyond all exception testifies, that he gave Names to the Months according to his own Language; the *Franks* before that time having known them partly by Latine, and partly by Barbarous words. To the twelve Winds also he gave Proper Names. whereas formerly scarce he

*Mensibus juxta
patriam Linguarum
nomina imposuit
quum ante id
tempus, &c.*

† Nu vill ik Scriban Unser heil
Evangelion, dail.
Så Unir nu biar bigunnen,
In Fren Riffa tungen.
Fräs. in. Evangel.

So will I write (the Dutch say yet Scri-
ven) our health (for which the word Sal-
vation is latcht crept in) of the Evange-
the deal (for which is crept in part.)

mony

mony of the four Gospels Translated into this *French* Tongue, which continued thus *German* or *Teutonic*; at least till the Ruine of the Family of *Charles* the Great. This is evident from *Wideramus* Abbat of *Mersburg* his * Translation of the *Canticles*, out of *Latine* into this old *French*, in the time of *Henry* the third Emperour, about the year of our Lord 1100, one of the Chapters whereof he begins thus; *Stand up Friundinna minn illeg. Min duwa Min Jcma* and *Kim*. Such like Language is all the rest, and hereby it may be seen as one of our Modern Writers observes, that the old *French* and the old *English*, had then as great Affinity together as our Northern and Southern *English* have at this day. Now none will deny that our old *English* or ancient *English* Saxon was *German* or *Teutonic*.

66. Such therefore was the true and ancient *French*, a *German* or *Teutonic* Dialect, before it was corrupt, mixed and at last abolished by another Speech, which overpowered it by the multitude of Speakers. For in conquests of Countries this rule is to be observed in point of Languages, that where the Invaders in Numbers prevailed, either in a small space of time pushing in multitudes upon a weaker Nation, or in a long continuance of time perpetually supplying their first Planters, there though they mixed with the People Conquered, their Language followed the Fortune of their Arms, and at length, getting Ground every day, became Victorious, but where a far lesser invaded the greater, and the Courage or good Fortune of a few prevailed over a Cowardly effeminate or unfortunate Multitude, there the success was not the same, for as the Vulgar is Master of Language, which is founded upon Use and Custome, more Voices or Words carried it, and the Tongue had better fortune than the Hand, as far greater Sounds or Noises do drown the lesser. The former part is sufficiently evidenced in the *Roman* Conquests; especially in the Western parts, as also in the Invasion of the *Saxons* made into this Island of *Britain*. The latter part not only in the matter of the *Franks*, who Conquered a People much more vast in Numbers than themselves, but in the case of the *Goths* in *Spain*, and *Lombards* in *Italy*, where the Languages prevailing in the Countries, at last got Ground, and prevailed over those they brought in with them, and not to stir far from home, we see the truth hereof abundantly manifested in the case of the *Normans* who coming into *France*, and bringing in with them a Northern or *Teutonic* Language of their own, first made Shipwreck of that there as the *Franks* had formerly done, and then having got instead of that the *Romanick* or *Balfard* Latine now called *French*, when they Conquered here the *English Saxons* lost that also, and returned to their ancient *Teutonic*, (though altered by their Invasion,) and this they did notwithstanding all Arts imaginable used by them for abolishing the *English*, and propagating that other amongst a People to which their Posterity in this point was constrained at last to yield their Tongues; though not their unjustly got Possessions.

67. The *Franks* therefore by mixing and embodying with a far more numerous People, lost their Language, what then the speech spoken by the Natives at this time was we must enquire. The Language of such of them as were Originally *Galls*, was the first that was spoken (as far as man can know) in this Country, being that which was in use when *Cæsar* invaded them, viz. the *Celtick* or the *Gallick*, which though it might receive an insensible impression and alteration from the Touching of the *Phœnicians* upon the Sea Coasts, the planting of some Greek Colonies also on the Maritime Parts, the Neighbourhood of the *Spaniards* and *Germans*, and the recourse made by the *Italians* to the Medicinal Waters in *Aquitain*; yet till his time in the Body of the Land continued pure and uncorrupted. What this Language was is the great question much debated by certain Learned men, and that in two respects especially, viz. Whether it was the same Originally with our ancient *British*, or the *Welsh* Tongue, or whether it was the self same in substance with the *Teutonick* or ancient German Language, differing only from it in Dialect; in some variety of phrases and terminations of words. For the first, that the Language of the old *Galls* was all one with the *British*, unless perhaps in variety of Dialect, *Cæsar* himself sheweth, where he writes that it was the custome of the *Galls* who desired farther knowledge or instruction in the Learning, or Discipline of the *Druides* to go over to them into *Britain*. Now forasmuch as they had no use of Books, the *Druides* in teaching must have used the same Language the *Galls* did, which *Tacitus* further confirmeth, alledging that the *British* Speech, and that

So we now here begin
In the *French* Tongue.

* Typis Plantinianis editum Extat
Opera Pauli Merula.

Stand up the Friend mine Speedily
My Dove my fair and come.

Friendinne Saxonicè Amica
Schöne bodie utuntur

The Gallick and
British Language
compared.

K k k 2

of

SECT. 4. of the *Galls* differed not much. But seeing the Language is self is lost, some scattered words only remaining as the broken Boards of a Shipwreck, by comparing those words with the present *Welsh*, our Learned *C Camden* evinceth this truth, and that not by any wresting or straining but very easily, and without violence he proves them to agree to our *British* both in sound and sense.

68. To give the Reader a shorter account of what he makes out more at large, that *Divona* a Fountain at *Bordeaux* of which *Anfonius* Writes, that in the *Gallick* Tongue it signified God's Fountain, the *Britains* would have called by the same Name, for God to them is *Dyn*, and a Fountain *Fonan*, in the Latine *Divona*, by Analogy and for Verse sake. *Jupiter Tonans* or the *Thunder*, by the *Galls*, as many witnefs, was worshipped by the Name of *Taranis*, and *Taran* with the *Britains* betokeneth *Thunder*. The *Galls* had another God called *Hesus*, *Hesus* or *Anubis* painted like a Dog, and *Huad* with our *Welshmen* signifieth a Dog. Certain it is that the *Galls* worshipped *Mercury* under the Name of *Teutates*, as the Inventor of *Arts*, and guide of their Journeys. And *Diw Taith* in the *British* Tongue, is as much as the God of Travelling. The *Galls* as *Polybius* informs us in their own Language called their Mercenary Soldiers *Gassata*, and at this day the *Welsh* *Britains* call their hired Servants *Gueffin*. As *Phalanx* was the Macedonian Legion, so was *Catterva* peculiar to the *Galls*, as may be seen in *Vegetius*. Neither is this word Obsolete amongst the *Britains*, who yet use to call a Troop *Caturfa* and *Warkad*, and the strength of War which lieth in a Legion *Kaderne*. The *Galls* that marched with *Brennus* into Greece, named that order of Horse-fight, which consisted of three Horses, as *Pausanias* tells us *Trimarkasia* or *Trimarsha*, for an Horse they called *Marca*, which in that signification is mere and pure *British*. For *Tri* signifieth Three, and *March* an Horse.

69. The Name of *Circus* given to that *Windo*, to which *Augustus Cæsar* both vowed and built a Temple in *Gall*, *Phævrius* the same Philosopher of that Nation, as we have it from *Gellius* declared to be *Gallick*, and he supposed it was so called from the Whirling or Whistling which it makes. This Wind indeed is known to be most Boisterous and Violent; and *Cyrch* with the *Britains* betokeneth Violence as may be seen in their Litany. The *Fennine Alpes* by *Cæsar* called the Highest, had that name imposed as *Livy* writeth, not from *Hannibal* the *Pennus* or *Carthaginian*, but from the Highest Top which the Mountaineers of *Gall* named *Penninus*. But *Pen* with the *Britains*, even in these days, signifieth the Tops of Hills, whence the highest Mountains they have, viz. *Pennon-maur*, *Pendle*, *Pen* and *Pennigent*, got their Names. Neither have the high Mountains *Appennini* in Italy theirs from any other Original. The Cities and States of *Gall* situate upon the Ocean, were as *Cæsar* notes after the custome of the *Galls* called *Aremorica*, and with them the *Welsh* accord in the very same thing, *Ar-mor* being as much as *By the Sea*, or *On the Sea*. The ancient and excellent Scholiast upon *Juvenal* acquaints us, that the *Allobroges* were so called, because *Broga* in the *Gallish* Tongue signified a Land or Territory, and *Alla* another, as one would say Translated out of another place. But *Bro* in *British* is a Region or Countrey, and *Allan* Without or Eternal, so that the Etymology in both Tongues holds very well.

70. *Pliny* tells us that there is an Herb like to *Plantane* in *Gall* called *Glastum*, wherewith the *Britains* Died or Coloured themselves as several Writers testifie, being that we term *Woad*, and giving a blew Colour, which the *Welsh* at this day call *Glasse*. This was the Greek *Isatis* and *Vitrum* by the Authority of *Oribasius*. The *Gassata* who spake the same Language with the ancient *Galls* as *St. Elierome* witnesseth, had a little shrub called *Coccus*, of which that deep red Scarlet Colour was made, and this very Colour the *Britains* usually name *Coch*. If *Festus Pompeius* tell true, *Bardus* in the Tongue of the *Galls* signified a Songster, and this is a mere *British* word. And like as *Bard* is *British*, so the other part of *Bardocillus* which as *Manliar* and others teach us, was the Cleak that the *Gallish* *Bardi* wore, remains intire among the *Welsh*, who call such a Cleak by the very name of *Cacall*. The Herb which of its five Leaves the Greeks called *Pentaphyllon*, was as *Apuleius* sheweth by the *Galls* named *Pempedula*. Now *Pymp* in *British* is five, and *Deilen* a Leaf. And as the *Galls* by *Pymp* meant the Number of five, so by *Peter Four*, for as we learn out of *Festus Petronius* was a *Chariot* or *Waggon* of theirs so called of its four Wheels, and the word *Pedwar* in the *British* Tongue signifieth Four. Among wooden Instruments a Leaver was among the *Galls* as *Isidore* writes called *Gucia*, and the same in our *British* Language named *Gwif*. A Bird, *Bid* the *Galls* as we read in *Suetonius* called *Becca*, and the *Britains* name it *Pie*, *Galla* signifieth

Divona Colatum
lingua suis addi-
to Diva.

De tribus istis
Gallorum Ditiſſis
Lacunar:
Et quibus im-
missis placatur
ſanguine ditiſ
Toutates, har-
terius Hesus,
Et Taranis
Sophista non mi-
tior Aris Ditiſ.

Eidem ſeſſu Stra-
bo ad ſ. Armeni-
ſibus vocat.

SECT. 4. fieth exceeding fat and the *British* word *Galuns* betokeneth very big. *Diodorus Siculus* his Drink called *Zithum*, might be reduced to their word *Sider*, and *Cervisia* unto *Keirch* or *Oates*, whereof the *Britains* in many places make their Drink or rather to *Curf* which we *English* term *Ale*.

71. To omit many other words, we shall farther take notice of what he observes concerning the ancient names of Places, which end with both People in the same termination as in *Dunum*, *Brixa*, *Ritum*, *Duram*, *Magus* and the like. From such he gathers that these were Originally the same Nation, in the same manner as a very good reason may be drawn that *Englishmen* are descended from the *German*, because the later and more Modern names of our Towns end in *Burrow*, *Berry*, *Ham*, *Stead*, *Ford*, *Thorpe* and *Wich*, which carry a just and equal Correspondence unto the Terminations of the Dutch Towns, *Burg*, *Berg*, *Heim*, *Stadt*, *Furdt*, *Dorp* and *Wic*. Farther he affirms, that the reason of old *Gallish* words may be so fitly given out of our *British* Tongue, the property and nature of the thing agreeing also thereunto, that of necessity we must confess, either they were Names imposed by the *Britains*; or else that the *Britains* spake the *Gallish* Language. Whence the *Galls* were called *Celta* and *Gallatha*, the best learned of the *French* could never as yet tell. He bids them therefore consider whether not from the *British* word *Gualt* which even yet among the *Britains* betokeneth the Hair or Bush of the Head, as also *Gualtack* that signifies *Comata* or with long Hair. That the *Celta* were called *Comati* from the long Hair they studiously nourished all learned men do confess; and as for the letters *C* and *K*, *Q* and *G* how should one considering their force and Native found put a difference between them? *Garonne* the River to rapid and violent, that the Poets give it the Epithetes of *Validus*, *Aegorens* and *Rapidus*, he deriveth from *Gaw* which in the *British* Tongue importeth *strong*, and *suft*. The River *Arar* so gentle that it can scarcely be distinguished which way the stream goes; and by the Poets termed *Araris tardior* and *Lenius Arar*, he deduceth from *Ar* which with the *Britains* betokeneth *still* and *slow*. *Rhodanus* into which *Arar* falls: on the contrary runs down with a violent Current, in which respect it is styled *Incitur*, *Celer* and *Præceps*, which words do not disagree from the *British* *Rhedeck* that signifies the *speediness* in *Running*.

72. The Hills *Gebennæ* run out into *Gall*, in the manner of a long continued Ridge. And *Koven* among our *Britains* foundeth as much as the *Back* or *Ridge* of an *Hill*, and there is a long Chain of Hills in *Torkshire* which the Inhabitants call the *Kevins*. Stones being of old time erected in *Gall* by the Highways side, at the distance of every thousand and five hundred Paces, and the *Gallish* *Luca* or *Leogæ* containing just so many, he bids them consider whether it took not its name from *Leach*, which in the *British* Tongue betokeneth a *Stone*. That part of *Gallia Narbonensis*, where as the fabulous story goes *Hercules* and *Albion* fought, and where lie so many Stones that one would think it had rained them, the *French* in these days call *Les Craus*, knowing not the reason of the name, but Stones in *British* are termed *Craig*. The *Morvi* were so called from *Mar* the Sea. *Arles* or *Arælatum* seated in a moist and watery Soil, from *Arison* and *Laith*, *Moisture* in the same Language. *Uxellodunum*, which as *Cæsar* writes was situate on an high Hill difficult of Access, from *Uchell*, *Steep*, or *Lofty*, and *Dunum* an high place or hill. The Promontory on which the City *Tolon* stands was called *Citharistes*, and if you ask our *Welsh* *Britains* what *Cithara* is in their Language, they will by and by tell you *Telen*. Such is the opinion, and so pregnant are the reasons of our famous *Camden*, wherein most learned Writers conspire with him as *Beatus Rhenanus*, *Gesner*, *Potter*, *Daniel*, *Picardus* and many others. But some there are albeit in comparison of the other but few, who would have the ancient *Gallish* much the same with the *Teutonic* or *German* Language.

73. Of these the most remarkable is *Pontanus*, one who by reason of his Birth, speaking the *German* Tongue, had more cause to know the Roots and Originals of such words, and to understand the Etymologies than any either *French* or *English*, or other not fully acquainted with that Language. He denies not, but that the *Gallish* and *British* were the same, but yet contends the *German* were near akin to them both, and that for these Reasons. He cites a place of *Tacitus*, which relates how the *Æſii* a People of *Germany* in their Rites and Habit were more like the *Suævi* their Neighbours, but their Language was nearer that of the *Britains*. He alleges a saying of *St. Jerome*, that the *Galatians* or *Gallugrecians*, except the Greek Tongue, which was spoken through all the East had a Language of their own, the same which the *Treviri* used, which could be no other than the *German*, they

The *Gallish* and
German Lan-
guage compa-
red.

Deinde Suedi
maris litore æſ-
ſtrorum Germani
alluvione, quibus
Ritus habitusque
Sædorum, linguæ
Britannicæ propius.
Comment. in Ep.
Pauli ad Galat.

Sec. 4. they being of that Original. To this he adds Arguments, taken first from the Habit of *Galls* and *Germans*. Secondly, from the Names of men, Places, People, and words common to both; and Thirdly, from a promiscuous use of Words which he tells us, would make up an entire Dictionary. The first he proves from *Strabo*, Lib. 4. & 7. who more than in one place speaks how like the *Germans* and *Galls* were in their Manners, Customs and way of Conversation. For the second he observes, that *Cæsar*, being to make Latine the proper Names of such *Galls* that ended in *Ch*, was something put to it, for that the Latine Speech very difficultly admits that final Termination. Such then as ended in *Rich*, he turned into *Rix*, as *Orgetorix*, *Dumnorix*, *Ambiorix* and others, for which the *Galls* themselves it's probable, were wont to pronounce *Ereutrich*, *Dumerich*, *Einberich*, or *Heinrich*. So in *Tacitus* we meet with *Malorix* Prince of the *Frisians*, but in *Ammianus*, *Malaricus* or *Malarick* a *Frank*. And *Deuderix* a *Sicamber* in *Strabo*.

74. *Livy* presents us with a certain *Regulus* of the *Galls* in *Asia* called *Lutarius*, *Livius*, lib. 38. which *Cæsar* changes into *Luterius*, and both are plainly *Teutonic*, not unlike those of *Lotharius*, *Lotarius* and *Clotharius*. *Lutanicus* also in *Cæsar* is the same with *Olonicus*, *Lodovicus* and *Chlodovicus*. The *Germans* had many Names ending in *Marus*, as *Othmarus*, *Wolmarus*, and *Thietmarus*; so amongst the *Galls* we find *Civimarus*, *Combolomarus*, *Indutiomarus*, *Virdumarus* and *Virdumarus*. As for People and Places, many we read of amongst the *Galls*, like to which it cannot be denied, but several are found amongst the *Germans*, for as in *Gall* we find *Santonæ*, *Pidionæ*, *Turonæ*, *Suessonæ* and *Lingonæ*; so *Jubonæ*, *Semnonæ*, *Cavonæ*, *Fugenonæ* and the like in *Germany*. For the Names of Winds he saith, they are still common, both to the *Germans* of *Belgium*, to the *Britains*, and the *Galls*, whereof he renders this reason, that they alone continued found and safe without any Alteration, because that the *Romans* making War against the *Galls*, rather by Land than Sea, this People preserved the Appellations of things belonging to the Sea and Navigation, as out of the reach of the Invaders. But now as to matter of Fact that they did keep them, and that the Names of these words still continue the same amongst the *Galls*, *Germans* and *Britains*, how doth it appear? He instanteth in that called *Occidental* in Latine, which the *English* naming *Westwind* (*Winde* he means) the low Countrymen term it *Wester*, and the *Galls* (*Galli* not *Franci*) *vent de Ovest*. In like manner, that which the *Romans* knew by the Name of *Auster*, the *Germans* call *Suyden-Windt*, the *English* *Soutwindt*, and the *Galls* *Sud*. Moreover *Orientalis* as to the *Germans* is *Osten*, so to the *English* it's *East*, and *Est* to the *Galls* or *French*, which *Dialect* mightily agrees with the words of *Tacitus* lately mentioned, who calls them *Æstii*, who in Language more resembled the *Britains*, agreeable also to their Speech, who inhabit nearer to the North-East. In Conclusion, that Wind known in Latine by the Name *Septentrionalis*, the *English* and all others, even *Charles* the Great himself called *Noord* and *Noorden*; but the *French* term it *vent de bise*. Yet though herein they seem to depart from us, and imitate the word *Boreas* in use with *Romans*, yet have they but exchanged one *Teutonic* word for another. For *Biesen* and *Bisen*, to the low Countrymen is the same, as to be tossed up and down, and disturbed. The *Scarabæus* or *Beetle*, from the noise it makes with its Wings, and the violence of its flight they call *Biesbout*. And in the Translation of the Latine Plaster into the *German* Language, made about the time of *Ludovicus Pius*, *Bisa* is used to signify *Turbo*, or a *Whirlwind*.

75. But the restoring of *Pontanus* in this point is very Pleasant, though in other things he must be acknowledged, a very rational and learned Man. The thing to be proved from this Instance in the Winds, is that the *Britains*, *Germans* and *Galls*, still retain the same words they did of old, and therefore it's thence probable, their Languages were the same, not much different or near akin at the least. Now whereas by the *Britains* must be meant, the true *Britains* in the time of *Cæsar*, and before, the *Britains* that had the *Druides* amongst them, the *Britains*, the Posterity of whom are our *Welsh*-men, he makes use of the Language not of them, but of the *English* or *English Saxons*, who came out of *Germany*, and brought with them the *German* *Dialect*, to prove that the *British* Language was the same with the *German*. In like manner the thing to be proved, being that the ancient *Gallick* or *Celtick* Tongue was the same, or near akin to the *German*; he produces not the *Celtick* Names of Winds, but the *French*, or those that *Charles* the Great and the *Franks* used, who also came out of *Germany*, and no wonder if they brought a Language with them, which was the same, and as near akin as could be to it, and to that of the *English Saxons*, though nothing related to the other of the *Welsh* or *British*, which

The *Gallick*, *German* and *British* Language agree, and are near akin, if not the same.

which is the matter in hand. His Success is better in the last Branch of his Proof, and that is from the many words, which in Authors appearing to be *Gallick* or *Celtick*, in found and Signification came near to the *German*. For this he refers you to his Glossary of ancient *Gallick* words, added to the Itinerary of *Gallia Narbonensis*. Without coming to his particulars, which would be too tedious, we can avouch his Testimony to be true in many Instances, and undertake for him to the Reader. Nay amongst those produced by Mr. *Camden*, we can find several, which without more wrestling or force, than he himself professeth to use, we can for *Pontanus* his sake easily make speak the *Teutonic* *Dialect*. *Taranis* the Name of *Jupiter*, or the *Thunderer*; however, it may agree with the *British* word *Taran* *Thunder*, yet no doubt was the same with that of the *German* God *Thaar*, whence the *Danes* call the fifth day of the Week *Thaarsda*, or with the *Saxon* *Thor* or *Thur*, whence we call it *Thursday*. The *Germans* by some Variation call it *Donderdack*, *DandTh* being promiscuously used in the *Teutonic*, whence as we say *Thunder*, they say *Donder*, but the Original was the same in both.

76. Whatever affinity there be, betwixt *Teutates* the Name of *Mercury* and the *British* *Taith*, certainly that from which our *Tuesday* was derived, may seem to bear as great Proportion to it, being *Tuisco* the Great Idol of the *German* Nation, from whom as they call themselves *Tuysch* or *Duytsch*, so the *Italians* still name them *Tudeschi*. The word *Gessate*, by which the *Galls* meant *Mercenary Soldiers*, comes as near *Teutonic* *Gæsts* or *Gwests*, whereby *Strangers* are signified as it doth to the *Welsh*-*British* *Gwestin*; and *Gessa* the *Gallish* Weapon may well have hence received its Original, as being first taken notice of to be worn by such. *Trimarsha*, whereby a fighting with three Horses was meant, may as well Challenge a *German*, as a *British* descent, for if *Tri* be *British*, so is it also *German*, signifying *Three*, in this as well as the other Language; for our *Saxon* Ancestours called the pleasant Month of *May*, by the Name of *Tri-milki*, because in it they began to Milk their Kine three times a day. And though *Marca* in *Welsh* signifieth an *Horse*, so *Mara* or *Mara* in the *Teutonic*, being used of old to signify the whole *Species*, as some Learned men have observed, as *Horse* now doth with us, who also think verily that instead of *Trimarsha* in *Polybius*, it ought to be read *Trimarpha*. As *Mor* in *Welsh* betokeneth the Sea, so in the *Teutonic* *Moeren* signifieth *Moorish* as we say, or *Waterish* places, whence from the Lowness and Flatness of their Habitations, the *Morini* might be so named. As *Glaufe* in the *British* Tongue signifieth *Wood*, which giveth a blew Colour, by the *Greeks* called *Stasis*, and by the *Latines* *Vitrum*; if an *English* School-boy be asked what the *Saxon* *Englilh* of *Vitrum* is, he will answer *Glasse*.

77. We could note something more upon *Camden's* Catalogue, but we have transgressed already in the length of this point, and it's our Duty to give the Reader but a prospect of the Controversie. As for what Objections are made on both sides from Authority, concerning the main Question, whether the *Celtick* was the same with the *German* Tongue, they may be answered with this Assertion, that there may be many words common to several Languages, which we have no reason to believe were ever the same, as also that of those People, the Language of whom is Originally and substantially the same, the *Dialects* through distance of place, and length of time may be so divers, as the difference of Pronunciation added, very difficultly may they understand each other. The truth of the former part of the Assertion hath been sufficiently made out by the almost impertinent Labours of several late Learned men, who have taken pains to shew how many words there are in our Modern Languages, which are almost the same in found and Signification, with several of the Greek Tongue, particularly in the ancient *English* *Saxon*, the present *English*, *French*, and the *Dutch*. Some find many *Arabic* *Saxon*, others very many *Phœnician*, where yet they must confess the bulk and substance of the several Speeches are far different. It's certain, that Languages most remote in some points agree. And *Busbequius*, who was Ambassador from the Emperour to the Great *Turk*, observes, that many *Dutch* and *English* words were in his time in use, in the very *Taurica Chersonesus*. On the contrary, a Language may be for root and substance the same, and yet the *Dialects* so different, and the Pronunciation so divers, as with difficulty can the People that speak them understand each other living at distance, and obnoxious to Impressions, made by *Strangers* with other Accidents. This appears sufficiently in those that make use of the *Teutonic*, of whom the *English* understand not the *Dutch*, nor the *Dutch* the *English*, when they speak words merely of that Original, little more do the *Dutch* understand

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stand the *Swedish* or *Danes*, nay the Low Countrymen, those that inhabit the upper parts of *Germany*.

78. To conclude the Controversie so far as concerns us, it appears evident that, the *Celtick* and *British* were the same, both from the Testimony of unquestionable Authours, and the remains of that Language, which Antiquity like broken Boards of a Shipwreck hath cast upon us. The Consideration of the little distance betwixt the Island and *Gall*, brings no small Addition of weight to the Argument; for that *Britain* was planted from that part of the Continent, is rather more than probable, as also that as the Island received its Inhabitants first from *Gall*, so also its Dialect from the *Celtick* Language. That the *Galls* and *Germans* should have many things common, both Words, Names and Customes, seeing they were so near Neighbours, it's no wonder, supposing there was Commerce betwixt the Nations. The *Galls* were an active stirring People, made many Inroads into several Countries, and no wonder at their return they should be something changed in their Manners, and their Tongues tip'd with some Words, Accents or Terminations witness of their restlessness, light, and mutable Humours, to which the Inhabitants of that Air and Soil are subject whencesoever they come. But to examine whether the *Celtick* and *German* Tongues were the same, or near akin we take in the *British*, which we can be throughly confident was the same with the *Celtick* in substance, and compare it with the Modern *German*, we shall hardly be induced to incline to the Affirmative, considering what a vast difference there is betwixt our *Welsh* and the present *Dutch* Language, and yet that for a thousand Years and more, neither is the *Welsh* nor *German* so changed in themselves, but that at the first sight one may easily perceive the Names and Words to be substantially the same, however the *Teutonic* be something altered by Communication with other Speeches.

79. As for the Opinion of those few, who thought that the ancient *Galls* spake Greek, it carries so manifest absurdity with it at the first look, of any one that's but meanly skilled in Antiquity, that it deserves not a serious Refutation, especially considering what *Varro* hath written concerning the Citizens of *Marseilles*, that they spake three Languages, viz. the *Gallick*, the *Greek*, and the *Latine*; the *Gallick*, because that was the Language of the Country where they inhabited, the *Greek*, because they were a Colony of the *Phocenses* planted here, and *Latine* as they were Subjects of the *Roman* Empire, and had constant Entercourse with that People. That most Learned man *Bochartus*, tracing the Footsteps of the old *Phœnicians* finds them in *Gall*, and many Names of Places, Rivers, and things he deduceth from their Dialect, remainders whereof he finds also in our *British* Islands, being the true *Cassiterides*, to which that industrious Nation traded for Tinn in very remote times. But though he maketh it appear, that many things were common to both Languages, yet would not he have it thought, that the *Phœnicians* and *Galls* had one and the same Tongue, or onely differed in Dialect. For from *Polybius* it appears, in the Case of *Antaritus*, and otherwise that the *Galls* learnt the Language of the *Carthaginians*, by long use and Custom, otherwise they had no Entercourse with them, but by an Interpreter, as is evident from a passage in the same Authour, that in the Army of *Hannibal*, *Mazius* a certain *Regulus* of the *Galls*, declared what his Countrymen had resolved by the means and assistance of a *French*-man. Although by reason of Commerce, of common Wars, or which he rather suspects of some ancient Colony of the *Phœnicians* planted in *Gall*, they borrowed words one Nation from the other, yet that they had several Languages, and peculiar abundantly appears in the Names of Men in use amongst the *Galls*, most of which are quite different from the *Genius* of the Sacred Language, though well nigh all the *Punic* Names be merely *Hebrew*. * He concludes with this Assertion, that there is no need of proving by Examples, a matter which is so manifest in it self. But enough (if not too much) of the ancient *Gallick* or *Celtick* Tongue.

80. The *Gallick* Tongue being such before the coming of the *Romans* was forced to truckle to their *Latine*, as well as the Country to their Victorious Arms, but this not on a sudden, but by long usage and Continuance of time. The *Romans* wherever they subdued a Country esteemed it a Maxime of State never to be left unpractised, to procure the Natives their new Subjects, to learn their Language, to bring them to a nearer Familiarity and acquaintance with them, and their Government, without which more Difficulty could they be kept in Obedience and Civil order. For this purpose they set up several Schools to instruct the Youth, as for substance in *Gall*, at *Autun*, *Befancon* and *Lyons*, of which we are informed, both

The *Gallick* and *Hebrew* compared.

The *Latine* Tongue introduced by the *Romans* when they Conquered *Gall*.

* Nihil opus est
in exemplis probare
quia non per se
manifestum Geograph. part. 2d.
feu Chanaan, lib. 1. c. 42.

Augustus, de
Poenitentiæ Legi
dandi.

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by *Tacitus* and *Aufonius*. The Natives perceiving there was no struggling, and that they must needs submit unto the Yoke, to make the burthen as light as might be, accommodated themselves to the desires of the Conquerours, and learnt their Language, especially knowing that no preferment could be got without it. *Latine* then began to be the Gentile sort of Speech, and the *Celtick* to be accounted Clownish, and by degrees to grow out of Fashion: But as it decayed in Reputation and Practice, it made great Alteration also in the *Latine*, it being impossible, but that amongst such multitudes of Speakers, there should be diversity of Words and Phrases, and a great mixture and medley be produced, for it was hard to obliterate those Impressions, which long Custom and daily Practice have acquired. Therefore though great violence was offered to the ancient *Gallick* Tongue, the words of which were discarded, and *Latine* intruded into their places, yet by a certain sort of Reaction, the *Gallick* forced also some of it's own upon the *Latine*, and that very early, when the Contest betwixt them was but newly begun.

81. For *Cicero* in his time complains that a strangeness of Speech was infused into the City, so that no remainders of the ancient quaintness of Language was to be found. The *Roman* Orators and Poets began to affect *Celtick* words, and by degrees made them free of the Commonwealt, as *Rhedas* and *Petoritus*, whereof *Cicero* himself for all his complaints uses the former, and *Horace* thinks fit to serve himself of the latter. If then such Alteration was made at *Rome* it self, how must that *Latine* be handled, what mixtures must that receive, which was spoken in the Provinces? The *Celtick* Language went to wreck, but the *Roman* by its Conquest, was also weakened and reduced to such a Constitution and Temper as easily to be obnoxious to the Impressions that were made upon it by other strange and Barbarous Speeches. For the *Roman* power as well as the Purity of the Language, decaying in *Gall*, the *Goths*, the *Vandals*, *Burgundians*, *Allemani*, and last of all the *Franks*, made their several Invasions, and brought almost as great an Alteration into the Language, as they did a change into the Power and Government of the Country, so that the true *Genius* of it was destroyed, and the ancient Face and shew of it quite obliterated, a Foreign and strange sort of Declension and Phrase, as well as multitudes of words being brought in. And the same fate had the *Latine* Tongue at the same time in *Spain* and *Italy*, where by its Conjunction with the Moorish Language, the *Gothick* and other *Teutonic* Dialects, those Bastard Speeches we now call *Spanish* and *Italian* were begot.

aque Caballi, Pascentis, decenda petoritis; & Rheda & Peturum genus vehiculi Gallici significat. Peturum ē quatuor rois Conflabato.

Which Hodg-podge is termed the *Ruffick* in opposition to the pure *Latine* Language.

82. This Hodg-podge or Medley, was at such time as the *Franks* were well settled in *Gall*, called the *Ruffick* in opposition to the pure *Latine*, which was preserved in Books and understood, and written by Learned men, onely as it is at this very day. And yet to great were the Impressions made, by these many Foreign Dialects, that even the *Latine* writings of the most Learned men of these times, compared with the best Authours, appear little better than Barbarous. What a strange style, and what odd Words do we find in *Cassiodorus*, one of the best Scholars of his Age. By him we may perceive how the *Roman* Tongue was then decayed in *Italy*: And for *Gall* what slender *Latine* was written by the most Learned amongst them, is sufficiently evident from *Gregory Turonensis*, and what a number of *Gallicismes* and *Francismes* were broken in upon them in his time. To give the Reader a Taste, the word *Parents* and *Parentes* in the plural throughout his Book, he useth not in that Sense, that good *Latine* Authours do, but as the Modern *French*, to signifie Kindred in general, wherein he is imitated by *Aimoins*; *Repedare*, he useth for to retreat or go back. The word *Reclausus*, as now they do for one retired or shut up close, which they (and therefore we must) call a *Recluse*; *Metatus* for a dwelling or Habitation. *Aripennis* the old *Gallick* word, for *sticca*, c. i. a certain quantity of Land, which as *Columella* informs us, was half an *Acre*, *Ma la hora* in that Sense as they say, *Malheure* for ill Luck, and thence *Malheureux*, for *Miserable*, *unfortunate* or *unlucky*: *Lezare* in that Signification they now use *Leur to raise*, *lift up* or *carry away*, as an eminent Translator of our own most strangely misstakes it. *Placitum* for *Pleas* or *Pleading* often, and *Placitare* to *plead* as our English *Norman* Lawyers now do phrase it. *Leudes* and *Leodes* are with him the same with those whom the *Dutch* now call *Lieden*, *Vassals* or such as are obnoxious to their Prince. *Cupa* are *Wooden Barrels* or *larger Vessels*, in which Sense with the *Dutch* the word still remains, and thence call they the Workman that

Lib. 4. c. 10.
Lib. 5. c. 17.
Lib. 5. c. 27.
Lib. 5. de Rū.
c. 1.
Lib. 6. c. 45.
Lib. 7. c. 4.
Ejusmodi Barba-
re, Latine do-
mata ubi hec
verba in Trin-
de de exercitiis
tra Regem lo-
cuto.
Lib. 7. c. 13.
14. 23.
Lib. 3. c. 23. l. 2.
c. 9. & alibi.
makes Lib. 7. c. 37.

§.ct. 4. though most of its words from the Latine. For no otherwise do the French at this day expresse their minds, than the Germans, Low Countreymen, and English by the adjunct Verbs, *Am* and *Have*. For Example, a Roman would have said *Tu fecisti*, which if a French-man imitate or translate, he must say, *Vous avez fait*, nor otherwise then the German would say, *Du habstes gedaen*, and an English-man, *Thou have done*; which way of Speech in Latine would be Intolerable, for who would say in that Tongue, *Tu habes illud factum*? The Reader by comparing the Oaths lately mentioned with the Modern French may be farther fatished in this particular. We come to the Latine words, to see how they came into that form and shape we now behold them. This was by changing *A* sometimes into *E*, as writing for *Æstas* *Esté*, *Bonitas* *Bonté*; sometimes into *I*, as *Cerasum* into *Cerise*, *Vacuum* *Voide*; sometimes into *Ou*, as for *Tangere*, *Toucher*; otherwhile into *Ea* as *Aqua* into *Eau*, and into several other Diphthongs, as *vice versa* *Ea* into *A*, as in many Instances we could shew; as also their change both of the Vowels, *I* and *O* into *A*, and indeed mutably the same Alteration in them all. For Consonants the same thing may be observed, as for a *taste*, *B* into *C*, as *Cubare* into *Coucher*, *Cubile* into *Couche*. So also into *F*, as *Babalus* into *Bouffe*, *Trabs* into *Treffs*; into *G*, as *Ruber* into *Rouge*; into *P*, as *Turba* into *Troupe*; and into *V*, as *Caballus* into *Cheval*, *Debitus* into *Déu*, and *Ebrius* into *yvre*. The like might be said of all the rest of the Consonants well nigh, and an whole Dictionary made, but that's not our work, and the Reader if he desire full Information may consult the French Grammar of that Learned French-man Robert Stevens.

88. But herein the ancient Speakers of this Language imitated the Romans as in other respects, that they joined not Articles with Words, as the Modern French doe in Conformity to the *Teutonic*, and ended divers Genitive Cases in *S*, as for *Liber Cæsaris* in Latine, they would say and write *Lieure Cæsars*, whereas now they write *Le liure de Cæsar*. From this Correspondence with the Latine comes it to pass, that there are many proper Names ending in *I*, because they were called by the Name of their Family, more especially in *Italy*; but in *France* also some, they being so named in their Contracts made in Latine. But to note farther the Inconstancy and Alteration of this Tongue, those who anciently spake it, ended many words in *Erre* and *Elle*, which now-a-days are terminated in *Eur* and *Eule*. For example they said *Semerre*, *Gaignierre*, *Trichierre*, *Sannerre*, *Vainquierre*, *Luitierre*, *Vergierre*, *Pechierre*, *Conoissierre*, *Decomerre*, for what is now written, *Semeur*, *Gagneur*, *Trompeur*, *Sauteur*, *Vainqueur*, *Luitour*, *Vengeur*, *Pecheur*, *Conoisseur* and *Decomeur*. They said *Taucerresse*, *Trounerresse*, *Lecherresse*, *Mangerresse*, *Repencherresse*, *Demonstrerresse*, for what now they say, *Taucer*, *Trouner*, *Lecher*, *Manger*, *Friander*, *Mangeur*, *Repentant*, and *Demonstrer*. Sometimes they ended their words in *Oisse*, as *Aideroisse*, *Conforteroisse*, and the like. To such words as end now in *Eau* they added *Aux*, though they spake in the singular Number, as in *Biaux*, *Oisiaux*, *Touiaux*, *Aniaux*, sometimes they left out the *u*, terming them *Biax*, *Oisax*. On the contrary from plurals they took the Letter *S*, as saying *li autre*, which is now changed into *les autres*, *li enchantement*, now *les enchantements*. Such as now end in *jeu*, they terminated in *ex*, writing *Diex* and *Lieux*, for *Dieu* and *Lieu*. More anciently they wrote and said, *Soye* and *Moye*, which now is altered into *Sienne* and *Mienne*, *Sor* for *Sur*, *Or* for *Eur*, *Pot* for *Pent*, *Seaut* for *Sent*, *Veaut* for *Vent*, *Fui* and *Bui* for *Je fus*, and *Je heut*. In some words they placed *H* after *C*, where the Modern French now leave it out, and on the contrary had no *H* there, where it is at this day placed; for Example they said *Cha*, *Embracher*, *Merchy*, *Conchut*, *Puche*, *Cheler*, *Piecha*, for which now you have *ça*, *Embrasser*, *Mercy*, *Conceut*, *Puce*, *Celer*, *Pieça*; on the contrary they called that *Reproche*, *Duceffe*, *France*, *Blance*, which now is *Reproche*, *Duchesse*, *France* and *Blanche*. They said *Sentu* for *Sentir*, *Creez* and *Veez*, for *Croyez* and *Voiez*, *Same*, *Lame*, *Mame*, *Simage*, *Limage*, *S'angoisse*, *L'auceille*, *M'auceille*, *S'olfeffe* *M'esped*, whereas now they write and speak *Son ame*, *Ton ame*, *Mon ame*, *Son Image*, and the like for those that follow.

89. As more conformable to the Latine, they ended such words in *Ous*, which their Posterity now have changed into *Eux*, saying *Pious* and *Religieux*, for *Pieux* and *Religieux*. On the contrary they changed the *U* into *O* in several words, to which those that came after again added the *U*, and so retained both *O* and *U*, saying *Poue* and *Poir*, instead of the *Pource* and *Pouvoir*, and *Molt* and *Cort*, for *Moult* and *Court*. Many words they terminated in *El*, which since have been ended by *Eau*, as *Cremel*, *Mantel*, *Corbel*, *Chamel*, *Veel*, *Chevel*, *Morcel*, *Pel*, *Moncel*, *Vaisel*, *Fournel*, *Bel*, *Fourrel*, *Chapel* and *Tumbel* more agreeable to the Latine, instead

of which now if you will speak proper French, you must say *Cerneau*, *Manteau*, *Corbeau*, *Chameau*, *Veau*, *Cheveau*, and the like. Many they ended in *On*, as *Mespris*, *Abolition*, *Delivreson*, for which *Mespris*, *Occasion*, and *Delivrance* are now in request. For *Dirent*, *Mirent* and *Occurent* they said *Distrent*, *Mistrent* and *Occistrent*, *Enjoigne* for *Enseigne*, *Pointure* for *Peinture*, *Teche* for *Tache*, and *Plaigne* for *Plain*. The Latine *O* now and then they changed into *U*, saying *Cuel* which now is *Col*, *Cuer* now *Coeur*, and to *O* added *U*, as *Repos* and *Propos*, now written *Repos* and *Propos*. Most of the words ending now in *Eur*, they terminated in *Or*, as *Trouneur* and *Chanteur* they wrote not *Trouneur* and *Chanteur*, and *Jongleur* not *Jongleur*. The Particle *de* they often omitted, or understood as *Les fils Iuain* for *Dynain*, which yet is continued as they say still at *Paris*, *L'Hostel Dieu*, not *L'Hostel de Dieu*; and lately *Le Palais Cardinal*, as in the Northern parts of *England*, they seldom put the Letter *S*, as the sign of the Genitive Case, but instead of my Father's *Horse*, *Stable*, *Houfe* or the like, say my Father *Horfe*, my Father *Stable*, and my Father *Houfe*; and here in *London*, not *Somerjet's Houfe*, *Tork's Houfe*, *Kirk's Houfe*, but *Somerjet Houfe*, *Tork Houfe* and *Kirk Houfe*. Their *Dux* was afterward changed into *Duc*, their *Salus* into *Salut*, and their *Capel* into *Capet*, their *Nais* into *Nurs*, and their *Pous* into *Pout*.

90. The Observations of this Nature might be infinite, but this may be said in General, that the remoter times in the use of Words, went still farther from the Latine, although in some Cases this Rule must admit of an exception. One thing by no means is to be omitted, and that is the strange Affectation of brevity in words, in writing by Contraction of Syllables, and in Pronunciation by leaving out the Consonants. *Quadragesima* must be *Quaresme*, and then *Caresme*, *Perdere* contracted into *Perdre*, and *Padicelle* into *Pucelle*, *Scribere* into *Escrire*, *Christianus* into *Chrestien*, and Thousands of others so abbreviated. But neither would these French-men content themselves with such a Contraction of words, but these words thus contracted, they must again in their Pronunciation contract, leaving out many Consonants; as for Example the *S* in all these we have now mentioned. The Humour and Custome of the most ancient French was to omit in their thort writing the Vowels, whence afterward proceeded new words, as *Quaresme* they were wont to write *Quresme*, *Quarrel*, *Qrel*, for *Moult Mlt*, and for *Chevalier Chr*. But late days their Posterity thinks fit in their Writings, to omit the quiescent Consonants, especially the *S* before the *T*, as for *Estant* they wrote *Brant*, for *Estè Etè* so *S* before *C*, as for *Escrire* now you find *Ecire*, and the like in other Words. We compare not only some of their present words with the Latine, from which they are derived, but with those in use about *Charles* the Great his time, we cannot but a little wonder at this Affectation. We find in the Oath taken by the People in this Romance Tongue, and lately mentioned, that one of the Brothers was called *Ludbrwig*, as *Ludovicus* in Latine, and *Ledowick* or *Hlodowick* in the French or German. Now is it so Metamorphoz'd, that one living in that time could not know it, for they write it *Louis*, and pronounce it *Loiui*. He that was called *Clodoneux* in like manner they write *Clouis* and pronounce *Cloui*. And what is more, *Theodorick* they write *Thierry*, *Landerick* *Landry*, and the latter part of the Name of *Brunchild*, they have quite mangled and changed, calling her *Brunebault* in their modern Histories.

Jeus silence. Jls voudraient cacher l'origine de leur Langage qui n'est que le Latin corrompu ou un jargon de melange, comme nous avons dit, fait par l'irruption des Barbares dans les Provinces Romaines.

91. They are so possessed with an humour of refining this Bastard Latine, that there is no end of their fancies and attempts this way. The word *Mademoiselle* is the great Counting word of this elegant and neat Counting Language as they would have it esteemed, they have as is congruous made so effeminate, that whereas not long since they pronounced it out in length, of late to soften it in the Ears of their Mistresses they pronounced *Madmoiselle*, but this being too long, now *Mamaiselle*, and to the mode, as it is to be expected that in a little time it will come to be *Melle*, and afterwards

monde qui ne font qu'appauvrir le Royaume, & faire passer les François pour ridicules parmi les mesmes Nations des habits desquelles ils se parent en leurs Farces. Est ce donc que nous parlons mieux que nos peres & avons plus de Jugement? Rien moins. Mais c'est que nous sommes preoccupés d'autres mots qu'on nous a enseignés, & que nous nous y sommes accoustumés tellement, que le langage ancien nous choque insensiblement. Si encore on demandait la suite de ce, on pourroit prendre patience. Mais les Clergemenz d'aujourd'hui, auant que le monde, & ceux qui par leur eloquence presente croient avoir acquis une reputation eternelle, passent pour ridicules dans moins d'un siecle. The secret & ingenious Borelus Parisiens Medicus.

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Me-aire, wholly Spiritual or Angelical; so airy is their fancy, and light is their temper, that to avoid harshness, they run upon the other extreme of Effeminacy. Certainly a due mixture of Vowels with Consonants, and an open pronunciation of both, provided there be no rude harshness such as is that of the *Italian* Tongue, is more majestic and manly, and more suitable to the Organs of Man's Voice, as that *Mulick* is not always the best, which departs the most from the Base in found and proportion. But so great a desire have they to polish this Speech with Eloquence, because to them there seems nothing to want to the felicity of their Kingdom, but to separate from the Number of Barbarous Languages, that Tongue which they speak, and which all their Neighbours too will speak e'er long, (they are their own words) if their Conquests continue as they have begun. For so brave a Design, one of the greatest Ministers of State they ever had, founded a Society called the *French Academy*, consisting of the choicest and most refined Wits of *France*, the Conferences of whom he looked upon as the most assured means to bring it about. Forasmuch as their Tongue which was then more perfect than any other which was spoken at that time, might as well at length succeed the *Latine*, as the *Latine* did the *Greek*, if there were more care taken than had been thitherto of Elocution, which is not indeed the whole of Eloquence, but makes a very considerable part of it.

See *Pellissier's* History of the *French Academy*, founded by Cardinal Richelieu.

92. Such are their hopes and expectations that their Conquests shall increase, and their Neighbours be forced to submit both to their Language and Empire, which they think is in a fair way to succeed that of the *Romans*, as the *Romans* did the other of the *Greeks*. Now both *Greeks* and *Romans* found it a very great expedient for the Continuation of their Empire, to propagate their Language, and suppress by degrees the Original Speeches of the several Conquered Countries. They like great and perfect Statesmen consider this, and are so prudent as to conclude that it's in vain to expect and attend an after Game, where there is hope they may be beforehand. If the Speech of the Conquerors propagated amongst their Subjects be a great means to keep them in Obedience, by rendering their Persons and their Government familiar to them, then it must also be a means to facilitate their Conquests, and draw in a People not yet subdued, their Language making way for their Arms by communication of Councils, and a convenience of insinuating those things there, where want of understanding what each other says, increases a strangeness, and strangeness ever procures a diffidence and an Averfion. Therefore did they not only set about the polishing of their Language as they imagined, to make it more charming and effectual; but having begot a good opinion of it in those who, ignorant of better, travell into their Countrey for gallant Breeding, translate all the most considerable Authors which speak either the *Greek* or *Latine* into it, to render those Languages useless, and to advance their own into the place of both. What their success in this kind of Conquest of their Tongue hath been, and is daily we have largely seen; the *French* being now the Courty gentle Language, and in as great Reputation in some other parts of *Europe*, as its parent was once in *Gall*, it obtruding its words, and phrases still upon those of the Countries, and giving good hope to its Masters to obliterate them wholly at the length, it is already become the Gentle, and as to the Commerce of Strangers has already in a manner displaced the *Latine*, which by imprudent People, who never think nor consider whether things drive, now begins to be drolled at as the Language of Pedants. Could it once attain to be the learned Language, the work would be accomplished, and this it would quickly be were it once imposed upon the Universities, and had the Keys of the Arts and Sciences delivered into its Custody, a fair way to which they have already made by their Translations, and as they hope by the dints of their Swords. But what progress they have made in that other sort of Conquest, viz. by Arms, it's more proper for others to consider than my self, as also how far this may farther confer to it, that the *Latine* Tongue begins to be displaced, and *Europe* is generally Frenchified, being one would think bewitched and running a madding, both after the Speech and the Fashions of that Nation.

93. Whatever the issue may be, the danger is not very much apprehended, as we may judge by the universal demeanour of the Christian World; and however the case may stand upon a formal Examination and scrutiny by the principles of ancient, and therefore now-a-days dull and despicable prudence, it may be hoped their whole design will no more succeed than hath the project of their Academy, for refining of the Language, in order to which by all means a Dictionary must be made

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made of true and Authentick words and phrases. But their Founder before his Death often complained that he was frustrated in his Expectations, and that they did little or nothing of moment. The People in despite of their Rules, and Observations ever was and will be Masters of Speech, which is framed by custom and generality of Expressions, any one word in it self signifying no more one thing than it doth another. Therefore though a Dictionary hath been promised and expected above thirty years, yet cannot we yet have the happiness to see it, and to speak truly it's *Sisyphus* his Work, for as they add still new words to it, the first and oldest will become out of use and fashion. But there is no great need of their Travel in this matter, for be it what it will, being *French*, it is and will be both greedily received and admired, witness the rascally Bagatells, which come out every day, and by our People are bought up because *French*, as the greatest treasures of Wisdom and Ingenuity, though not one word of truth or sense in them. This, Reader, is the cause of our so great prolixness upon this Subject, for I thought I could not do thee a more eminent Service, than in drawing the Pedigree though at length, of that whereof thou art so exceedingly enamoured. Take with thee at parting, and dispose of it next thy Heart, or where else thou pleasest, the true and lively portraiture of it drawn in little, by no worse Pencil than that of him who understood it well, the most skillful and dextrous *Joseph Scaliger*.

94. Art thou ignorant faith he, that the Tongue thou now usest like as the *Italian* and *Spanish*, is an Abortive Brat of the *Latine*? The Materials of it came from *Latium*, which have now acquired a depraved form, are stult with adspirations, the sounds of the Vowels being distorted to the forming of deformed Diphthongs, inasmuch that even at this time you cannot agree amongst your selves, with what Elements (or Letters) you should Write. How much more purely do the *Suiffers* in speak who use no Diphthong at all? Farther, the Accents and Quantities are adulterated, the Consonants devoured in pronunciation, in which if there be any sense, why should not the Orthography be the same, and omit them as well as doth the *German* speech? Of the Declensions I say nothing, for they are nearer akin to the *German* found, whence the *Franks* are descended. But go to, if you will ask any thing requisite for Eating and Drinking, or for War, of which necessary things you are very studious, you must (though barbarously) ask for them in *Latine*, as *Piscis*, *Caro*, *Pavus*, *Vinum*, *Spatha*, *Scutum*, *Lancea*, *Caballus* & *Coriacea*, for this must come from *Corium*, as with them *Lorica* from *Lora*. As for these Madmen, who would derive you from the *Greeks* because of the *Druides*, their inconsiderateness often makes those laugh, who are furnished with more acute Judgments. Thus much, and too much indeed of this Language, but Reader as I said thou must thank thy self.

The Government Monarchical.

95. We shall spend the remainders of what we have to say, upon the Custom and Policy of the ancient *Franks*, and herein as it is fitting give their Kings the Honour of precedence. That they had Kings from that very time that we have the first knowledge of them in Antiquity is very evident, their being is certain, the only question is concerning the manner, and first how they came to that Dignity; the opinion of some Learned men is that the Kingdom was not hereditary, but in conformity to that Nation from which they had their Original, was conferred by the choice and suffrages of the People. That the Kings of the *German*s were created after this manner, * *Tacitus* affirms, where he tells us that they chose their Kings for their Nobility, and the Captains for their Valour. This custom is yet retained by the *German*s themselves, and the *Polonians*, and lately both by the *Suedes*, and *Danes*. Yet have the Sons of the Kings ever had the prerogative, or been first considered in the Choice, a great mark of the excellency of ancient Prudence. For as skillful Hunters according to the Observation of *Plinius*, do not so much desire a Whelp begot by a Dog of generous or Noble Breed, but such a Dog himself; so good Statesmen will not chuse a man who is to be a Prince, but one who is a Prince already. To this may be added, that the Parents of such Children upon hope of such Election, and lest they be rejected by the People, will have especial care of their Education. But to prove the matter in hand, that the Kings of the *Franks* were Elected they produce these Testimonies. First from *Aimoinus* they allege these words: * The *Franks*, according to the custom of other Nations choosing a King, advance Faramund to the Throne; again, † The *Franks* establish a certain Clerk Daniel by Name, his hair now growing, in the

eligentes Faramundum solum habebant regem. † Lib. 4. c. 51. Franci Danielum quendam Clericum, cesarie Capitis crescentem in regem stabilimus, atque Chilpericum nuncupant, Lib. 4. c. 67.

Kingdom,

Si Homanio illi-
qua Francus Crepi-
tun edat, solit-
tate lita arri-
suer, plaudant
& admittant.

An ignota lin-
gua vestram,
qua maculanti,
Latina lingua a-
borum esse que-
adam, & illi-
pantem, &c. in
Prof. ad Theol-
ram de lingua
bottina Gallica.
Vide Postanum,
in Origin. Franci-
lib. ult. c. ult.

* In libro de
moribus Germa-
narum Reges ex
nobilitate, Duci-
bus ex viris sa-
munt.
† Illigunt nobili-
tatem, et magna
patrum merita
principis digni-
tatem ad-
ferunt, et ad-
ferunt.

* Lib. 1. c. 4.
Regem, cetera-
rum more Nati-
onum, Franci sibi

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Kingdom, and name him Chilperick. Out of another place, King Pipin being Dead his Sons Charles and Carloman by consent of all the Franks are made Kings; and out of another, Pipin being Dead, the Franks in a solemn meeting, make both his Sons their Kings, on that condition that they should part the Kingdom equally betwixt them. So much out of *Aimoinus*, according to what we have formerly written upon these occasions.

96. The like Testimonies they produce out of *Gregorius Turonensis*, as where he writes, that the Franks having rejected Childerick, unanimously make choice of *Egidius*, and then the Franks who formerly had an Eye to Childerick the Elder, send a message to Siegbert that in case he would come, they would desert Childerick and make him King. A little after he adds all the Army came unto him, and setting him upon a Shield made him their King. In another place, Siegbert consenting to the Franks, and being according to the custom of the Nation put upon a Shield was ordained King, and obtained the Kingdom of his Brother Chilperick. To strengthen these Testimonies, they produce the last will of Charles the Great, published by John Nauclerus and Henry Mutius, out of which they urge this passage. In case any of these my three Sons have a Son, to him whom the People shall make choice of, we will that his Uncles consent that he succeed in his Father's Inheritance, and permit their Brother's Son to Reign in the portion of his Father's Kingdom. All this they enforce by what *Regino* hath written concerning this same Charles, his Disposition of his Dominions to his three Sons while he yet lived; namely that, He held a Consultation with the Nobility of the Franks, concerning the partition of his Kingdom amongst his Sons; and a Division being made into three parts, of this he made his Testament, which was confirmed to the Oaths of the Franks. Lastly, *Eginhart* relates in his Life that *Jending* for *Lodovick* the King of Aquitain, who only remained of the Sons of *Hildegaris*, in a solemn Assembly of the Nobility, met from all parts of the Kingdom of the Franks by advice of them all, he made him his Colleague or Partner in the Kingdom. *Francis Hotoman* in his ** Franco Gallia* produceth many more examples, but respecting the times later than those whereof we write, they are not so proper for our Cognizance and Disquisition.

vis accipata, descriptus. Editio Secunda ex Officina Hieronymi Bernolpi. 1574.

97. *Hotoman* having in his *Franco Gallia* published this amongst other Doctrines, at such time as in the Civil Wars in France he had sided with that Party which took Arms against the King, and had withdrawn himself out of the Kingdom, a * great Alarm was taken by his Adversaries, and the Book looked upon and that not undeservedly as a thing contrived, and designed for no other end than to overturn the Government, by infusing such Notions into the Heads of the People. *Papirius Massonus* wrote his Censure upon it, but the intire answer of it was referred to *Anthony Matharell*, the chief Procurer or Attorney of *Catharine de Medicis* the Queen Mother, who deserves Commendations for the great Loyalty or Zeal he shews for his Prince and Countrey, and however in some particulars he may come short of *Hotoman* both in Judgment and Learning, being transported with Zeal and opposing every thing almost because the other affirms it, as jealous that it was written out of Design, yet hath generally the better of him both in his Cause and the Proofs he brings to Establish it. He denies that from any of these Instances, it can be proved that the Kingdom of the Franks in Gall was Elective. To that of the Promotion of *Pharamond* he answers, that the words are to be taken as meant of Inauguration, and not of Election, or if they be it forces not much, for he might be chosen, because the former Race of the Kings had failed. But after him King not his Son *Clodius*, who dying without issue Male, *Meroneus* his Kinsman was King not by Election, but Succession, for *Aimoinus* writes, that he took the Government of the Franks upon him. After him Reigned his Son *Childerick* to whom by right of Inheritance succeeded his Son *Clodomer* the first Christian King, who being Dead, his four Sons *Theodorick*, *Clodomir*, *Childebert* and *Clotair*, equally parted his Kingdom amongst them to use the words of *Aimoinus* * who, he tells *Hotoman*, four times Condemns him for lying.

98. Of these *Childerick* dying without issue, *Clotair* Reigned alone, who also as the same Author testifies, left four Sons the Heirs of his Kingdom, viz. *Cherebet*, *Guntan*, *Chilperick* and *Siegbert*, the Posterity of whom inherited as their Ancestors had done before them. As for *Daniel* the Clerk, who was by the Franks chosen King, his Hair being suffered to grow, and named *Chilperick*, he takes notice, and Complains

Complains that *Hotoman* should sweat so much to establish a lie. He tells him a Lawyer (such *Hotoman* was, and that a great one) ought to consider that Laws are fitted and framed to such things as frequently happen, and not such as fall out very seldom; for from *Pharamond* whom he calls the first King of the Franks to this *Daniel* the Clerk passed three hundred years, in which space of time the Kingdom was devolved not by Election, but Inheritance. And by this Election of *Daniel* and such like, he puts him in mind that he never considers how that not succession it self, but the successions were Condemned; forasmuch as good Princes may have very bad Heirs, and yet the Succession and Inheritance be just and good. It happened that the last three or four of the Family of *Meroneus* were lazy and Drones, and stupid, which gave occasion to *Charles Martel* with ease, though he himself be said to have refused the Crown, to transfer the Government upon his Children. They being not of the Royal Family, this was effected partly by force, and partly by consent, of those whom they had obliged by many good Offices, and Pipin by means of *Zachary* the Roman Bishop, obtained to be Crowned and anointed King; as his two Sons *Charles* and *Carloman* were by the Hands of *Stephen* who was then in Exile, which thing he accuses *Hotoman* for omitting and making mention onely of the consent of the People, as desiring to make out his Election from that place of *Aimoinus*, which place yet he affirms, makes nothing for his Lie and figment as may be evident to any that's half blind.

99. As neither doth the Testament of *Charles the Great*, by which it's certain he made *Ludovicus Pius* King of *Franco-gallia*, *Bernard* his Nephew being made King of *Italy*, as is clear from the Testimony of *Nauclerus*. This is farther confirmed from what *Aimoinus* writes of this very Subject, that *Lodovick* being in *Aquitain*, when News was brought him of his Father's Death, came to *Aix*, and there by Consent and good liking of all the Franks he succeeded him, where the word Consent can by no means be referred to Election, but signifies the wishes, expectation, and desire of all the People. In like manner the first being pacified, which were risen betwixt *Pius* and his Sons, to the great detriment of *Franco-gallia*, and which produced an horrid Example, the Kingdom was divided by *Pius* amongst his Sons, as *Aimoinus* farther witnesseth, and not by the Election of the People, so great a truth is it, that not onely in the times of the *Merovingi*, but the *Carolingi* also, the Sons succeeded their Fathers in the Kingdom. But as all humane things are instable and mutable, and nothing can last always, in like manner as the *Merovingi* when they degenerated were deprived of their Power, and their Authority transferred upon the Family of *Pipin*; so by a certain vicissitude, and the secret Judgment of God, the *Carolingi* behaving themselves no less idly and luxuriously, it passed from them to *Hugh Capet*, either as a Punishment of their first perfidiousness and Rebellion, or because the Sons of *Pius* had so impiously demeaned themselves toward their Father, for God punishes Sons for their Disobedience to their Parents, though it may come late.

100. That which *Hotoman* cites from *Gregory Turonensis*, concerning *Childerick* the Father of *Clodomer* his being expelled by his Subjects, no way proves that the Kings in those times were made by Election, it being one thing to depose and expell, another thing to Elect a King. He upbraids him for instancing in a Pagan Prince, and in the endeavour of *Siegbert* for expelling *Chilperick* out of France, a thing rather to be Buried in silence, than revealed to the People. He tells him that *Siegbert* was sent to, and provoked by such like wicked persons as himself, neither was it a wonder if having despised the Council of *Saint German* the Bishop, he came to such a Tragical end, and was punished for his Infidelity, as *Hotoman* had seen from that place of *Turonensis*, yet shamed not to produce it. As for what *Hotoman* affirms that *Siegbert* consenting to the Franks was made King, and obtained the Kingdom of his Brother *Chilperick*, it's repugnant to what is written by *Turonensis* in the place that's cited. For there he affirms, that *Siegbert* despising the advice of *St. German*, and being come to the Village *Vitioracum*, all the Army assembled before him, by which he was put upon a Target and saluted King; then two young men with sharp Knives ran him into each side, whereupon he crying out fell down, and shortly after expired, and together with him *Charegisilus* his Chamberlain. "Thou hast here the reward of Perfidiousness and Treachery, and what happened to one that gaped after another Man's Kingdom, and thou perhaps, says he, approvest it, and saith it is lawful by the Law of the Franks. By this the Reader may see what to judge of the rest. Neither is that of any moment that we often find in *Turonensis*, *Ado*, *Aimoinus* and others, how the Franks were wont when

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solved

And yet Hereditary not Elective.

In Scilicet nuper Editum hoc invenimus in littera H. Hotomani Franco Gallia qd bono, ity ay aied. "Dispositio facta pite Hotomani verum Regem Franco Gallie hereditate assignavit decessoribus, et de Regum creandis more: quam quoniam quoniam movet ille, non ut histeriam nobis aperiat, sed ut Franco Galliam satis edictis omnibus agitatione funditus coartat, et Ad Franco Hotomani Franco Galliam Antioii Matharelli Regina Martia a rebus yocandis diti primari, Responsio. Lucet ex Officina Federici Alortii Typographi Regis, 1576. Cum Privilegio. * Regum inter se aqua lance dividunt ut verbis Aimini utatque tejam Hotomane quos mendacis arguit.

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solved to have such a King, to raise him, to lift him up on high, to set him upon a Target, and the like; for all these Expressions signifie onely Inauguration, and not Election. Upon such an occasion the Nobility was wont to meet, to salute the new King, and swear Fealty and Obedience to him, which custome yet continues, as may be gathered from the said Authours, which yet it's certain do not in the least argue an Election. To this may be added the Testimony of Foreigners; particularly of *George Cedrenus*, the Greek Historiographer, who in his *Compendium* of History writes: 'It's reported that the King of *France*, according to custome, receives his Kingdom by Succession from his Ancestours. So much *Matharell* in his Answer to *Hotoman*, besides much other opprobrious and reviling Language.

101. But though to an indifferent Person, his Language would make his cause suspected, yet in this point he really hath the advantage. For the Instances of *Paramond* and *Pippin* conclude nothing, but in an extraordinary Case, neither do those of *Daniel* the Clerk, of *Aegidius*, or any other produced out of the Histories of the *Merovingi*; and we are taught by *Julian* the Lawyer, that things extraordinary, or which rarely happen, are not easily to be reckoned of, or esteemed to conclude any thing in question. The *Franks*, like as their Kings, were a fierce and untamed People for a long time; and if they some time depoled lawfull Princes, and set up others in their Rooms, it was not so much as has been practised in other Kingdoms, not to go far off; where yet there is no such thing as Election, and the Succession by right of Inheritance has ever been out of doubt. The calling of the Estates together, and having their Consents was a matter of Prudence, as elsewhere it is a thing of Course, that the Nobility be present at Inaugurations, to have them swear to defend that Crown on which they lay their hands, nay to have the People asked, whether they will have such an one for their King; and yet none can have the Face to say that the Kingdom is Elective. These Ceremonies were used at the entrance of the Kings of the *Franks* upon the Government, and thence at their Inauguration the People were said to make them Kings, and yet they did it no more than those who now proclaim or Crown our modern Princes. Whatever the posture of Affairs and Convenience might suggest to *Charles* the Great, in ordaining that such a Grandson should be King as the People should chuse, he never designed to put it into the power of the People to chuse any whom they pleased, or one out of his own Family; or to imitate herein the Custome of the *Germans* mentioned by *Tacitus*, that Sons of Kings should but be first considered. For whoever seriously weighs that long and uninterrupted Possession of the Sovereign power, by the Family of *Meroneus*; and that wonderful Zeal all the *Franks* had for it, which affrighted the Majors of the Palace from assuming the Title, will easily perceive it never entered into their thoughts, from the time of *Childerick* to make any Innovation, nay they esteemed it a point of great Wickedness to think of any other House or Lineage, till *Martel* and his Sons had so far infatuated themselves into the power, that they were forced to make a Virtue of necessity, and forsake those who were neither in a Capacity to help themselves nor them. We shall dismiss this Point as *Matharell* hath done it with the clear Testimony of another Foreigner, more to the purpose than that of *Cedrenus*, who was not born till about two hundred Years after the Death of *Charles* the Great. This is *Agathias*, who wrote more than 60 Years before *Charles* was born, and therefore his Testimony is more direct to the times, whereof we write. He testifies that it was the Custome or Law amongst the *Franks*, for the Sons to succeed their Fathers in the Kingdom, or rather to receive it from them as by Decent.

102. From the same Authour, and several others we may observe, that such Males as were of the Royal Family were not wont to cut their Hair, but have it lye disheveled about their Shoulders, being perfumed with sweet Ointments, as a Mark of distinction betwixt them, and the Inferiour sort. This admits of no dispute, but is accorded on all hands, and the Reader may be satisfied by the Course of the preceding History, as also in this, that such as were to be deprived of the Kingdom, or of the Succession, had their Locks cut off, a thing which *Clodwald* or *St. Cloa* practised upon himself, when he resolved to forsake the World and enter into Orders. The Custome of wearing long Hair, they brought * with them into *Gall*, where it had also been long † practised, inasmuch that part of it, hence got the Name of *Gallia Comata*, as any one meanly Conversant in Antiquity, cannot

Long Hair very much worn, especially by their Kings.

* Ex Chauci seu Chayci uti sunt Franci, Lucanus ait: Et vos Crimigeris bellis arcere Chaycos Oppositi, petitis Romanos, &c.

† Claudianus vers. lib. 2. in Rufin. Inde truces flavo Comitatur vertice Galli, Rursus Rhodanus velox, Aravis quos tardior ambis.

but

but observe. Afterward the use was confined to the Bloud of the Kings, who as some observe, from what *Dagbert* did in the Batel with *Bertaald* the *Saxin* Captain, were wont in fight to tie up their Hair and lay it upon their Helmet, as a Crest and a farther Mark of distinction. Hence it came to pals, that some Foreigners who bore them no Good-will, gave the Kings of the *Franks* the opprobrious Epithete of *Setati* or *Briffled*, and whereas the *Sete*, or strong and upright Hairs, or *Briffles* are common, not onely to *Lions*, *Horses* and the like, but to *Hogs* also; thence came the Fable, that on their Back-bone, the *Rachis* or *Spina Dors*. they had Hairs growing, as hath that kind of Creature. A passage which we learn from the History of * *Cedrenus*.

103. But we leave this Mark of the Bloud Royal, as a thing not so considerable, and come to the Signs and Tokens of the Royal Prerogative, a thing much Banded betwixt our two Antagonists, but with more Partiality and design, than evidence of Truth, more flourish, and Digressions than real Arguments, like the *Andabata* we read of, so much are they, or rather is the matter in the dark. Yet if we may judge of the Conclusion by the Premises, and of the Superfluity by the Foundation, *Hotoman's* Fabrick and Model of Government cannot subsist; for he makes the Sovereign power to have lain in the People, to whom he ascribes Authority, both of electing and deposing Kings at their Pleasure, a thing he supposes for weak Reasons, and to be exploded upon that account, we have already given unto the Reader. He confounds the Forms of ancient Governments, making those the same which were far different, commends the Extravagant Liberty, the *Ephori* usurped over the Kings of *Sparta*, whom yet he can never prove to have had any hand in Election, it being notoriously known to every Novice almost, that the Kingdom of *Lacedemon* was Hereditary. Instead of a Government, he would assert a Medley of Power, which would never hang together, never thinking he can lessen the Royal Power enough, and not considering that a Prince may have as well too little, as too much, to protect himself and his People, and keep all from running into Confusion. The truth is, he would allow the Kings of the *Franks* no more than what the later *Merovingians* enjoyed under the Licentious and Extravagant Actions of the Majors of the Palace; but as to matter of Fact, to prove it was so, he is not able, and therefore flies out, and keeps nothing close to the matter in question. True Royalty, or a Prerogative above the Insolence of the Rabble, he accounts Tyranny, commending that Form of Authority, he cites out of *Cæsar*, that amongst the ancient *Galls*, before they were Conquered by the *Romans*: The People had as great Authority over the Petty and Nominal Kings, as these shadows of Royalty had over the People.

104. Then gives he you three special Notes, or Marks of Tyranny; whereof the first is a forced Command over Subjects, when they submit to them unwillingly; and merely by Constraint; the second is, when they keep a Guard of Foreigners about their Persons; and the last, when the Profit and Welfare of the People are not considered, but the Emolument and Arbitrary will of him that Reigns. By these, as so many Touch-stones he tries the Government, to see if it be true and Natural, or to discover the Sophistication, as he accounts it, which the Lust and Ambition of some Men hath made. For the first he concludes, the Authority of the Kings of the *Franks* was not forced, or by constraint, because the People had Sovereign power in chusing and rejecting them at their Pleasure. As to the second worthy and infallible Mark, he will undertake to prove out of *Gregory Turonensis* and *Aimoinus*, though he doth not do it, that these Kings used no Guards about their Persons: And for the third he has a sufficient Argument to the contrary, that Matters werenot ordered according to their Arbitrary Will, but for the good of the People, because the chief Administration of this *Franco-Gallick* Kingdom was in the publick and solemn Council of the Nation, which later Ages have called a Convention or Assembly of the three Estates.

105. To defer a little the matter of Fact, as to the Kings of the *Franks*, and omit *Matharell's* reply as too dilute, it will not be amiss to try the Infallibility of these his Marks, and to compare them with his other Principles. The first either may be, or not be, and yet the Government may be exceeding good. For sometimes the Commands of a Prince may be very reasonable, his Maxims highly just, his Designs tend as well toward the defence of their Liberties, as his own Prerogative; and yet the People, or rather the prevalent Faction may not understand it: A matter which a very mean Historian may make evident by many particulars. On the other side it hath been found, that Monarchs who (to speak to his Principles) neither

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neither could be elected by the People, nor (justly, and according to the Model of the Government of the Land) could be deposed, have Reigned over the Subjects without any forced Command, any other (for the main) than to which without constraint or unwillingness they have submitted. In this respect there are Nations, the Laws of which consented to, or made by the People, both are against Election and Deposition; and yet say the King can do no wrong, acting according to the said Laws, and Constitutions of these Kingdoms. The second, or that of a foreign Guard is trivial; for most of these Usurpers we meet with in story, have seized on the Power, and maintained themselves in it, by standing Guards of their own Nations. And as to the work of this Touch-stone, scarcely is there at this present, any one Monarch or Sovereign Prince Elective or not Elective, who hath not these Protectours of his Person about him; a thing not denied to Vice-Roys, and very Generals of Armies. For the last we must say, it is a certain Mark of a Tyrant (though the Government according to Law established, may not be Tyranny) when he acts all things according to his mere Lust and Will, not considering the advantage, or disadvantage of his People. But must needs every Prince, who is not merely Nominal as he would have him, and to be set up and kicked down at the Will and Pleasure of the unconstant multitude, needs act all things in this manner? No, a Prince may have as well too little as too much Power, to protect himself and his Subjects from the violence of unreasonable Men, and we may say, that without flattery to such Princes, there both have been and are, who are neither Elected, neither can be deposed by the People, but succeed by Inheritance, as proceeding from the Loins of their Ancestours, who do not make their Lust a Law, but propound the Good and Welfare of the People generally to themselves in their Actings. When any otherwise disposed do happen, the Men, not the Government is to be blamed; forasmuch as Accidents, and such things as do rarely fall out, are not to be reckoned on in such Cases.

106. Therefore as to the matter of Fact, we answer, that the ancient Kings of the Franks were not Elective but Hereditary, and yet their People willingly submitted to them, not forced, nor by Constraint and Terror. The Rules and Methods of their Government, were such as the People approved, and generally they observed, and kept close to them; when they did not, they blamed the Men, as we find, not the Ordinances and Customs of the Realm, as knowing that there will be Persons of several Humours; and not any one Course of Administration can be found out, which will have no Inconveniences attending it. His design to Tax the Custome of the Modern French Kings, in having a few Scots and Smiffes for their Guards, is extremely ridiculous. What grand Feats of Tyranny could they achieve in so great a Kingdom against such multitudes, by so small and inconsiderable a number? *Hotoman* had read how *Pisistratus*, *Agathocles* and other Tyrants of petty Cities or petty States, got some Troops of *Satellites* about them, sufficient indeed, to awe and terrify their fellow Citizens; and thence he presently concludes, that where a few Souldiers Watch and Guard a Kings Person, though by reason of the smallness of their number, they cannot be fit for any considerable Attempt; yet they are a manifest sign of Bondage and Tyranny. But the ancient Kings of the Franks, however he be so positive in affirming the contrary, were not without their Guards about them, no more than the Consuls of *Rome* (not to speak of the Dictatours or Emperours, for these perhaps with him were Tyrants) nor the lesser sorts of Magistrates, who had their Licours with bundles of Rods and Hatchets. From *Gregory Turonensis* the very Authour, he would wrest to his purpose (but very inconsequently and ridiculously, as if because a King doubles his Guards upon some imminent danger, he never had Guards before) it is evident, that *Clodoveus* had these *Satellites* and Guards about him: And if he, why not his Successours in the Throne, upon the same Account; for the same Reasons? That *Clodoveus* used such *Satellites* *Matharell* doth well observe, to which we shall add this Observation farther, that those whom *Gregory* calleth *Satellites* a little before in the same Chapter, he nameth *Pueri*, this word by Writers of these times, being used to express such kind of Attendants in general, who were usually chosen out of young Men now called *Pueri*, in like manner, as when the *Roman* Tongue decayed, *Infans* came not onely to signifie a young Child, but a Son in general, though grown to Maturity, as at this day do *Enfant* and *Infante* in the French and Italian Tongues, and *Infante* a Kings Son in Spain and Portugal, as *Infanta* a Kings Daughter of any Age in both these Kingdoms. Now if *Pueri* and *Satellites*, when applicable to the Attendants about these Kings were the same, let any one who hath

*Quod Satellites
audientes & Do-
gratias agentes,
Cic. l. 2. c. 37.*

*Maiores enim
autem pueri &
ad locum acco-
modatus, Cic.*

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been Conversant in that Authour, but consider how many times he speaks of these *Pueri*, and consequently of the Guards about their Persons.

107. As for *Hotoman's* third and last Mark, we close with him, that the ancient Kings of the Franks ruled not merely according to their Wills and Appetites; but we must needs differ from him, about the evidence or the reason of this our apprehension. For what we can gather from the ancient and faithfull Historians, we must say the bounds that were set to their Wills, were set by their Consciences, and their Consciences were regulated by the good Laws and Customs of their Country, which directed them in the Management of Affairs, but never awed them by the Terror of Deposing, nor by any Punitive or Coercive power, the People ought to exercise over their Persons and Authority. But he is quite of another Opinion; he believes they did not rule merely after their own Wills and Appetites, because they could not do it, that they did not bite because they had no Teeth, did not push because they had no Horns, at least but very short ones; forasmuch as they could do nothing of Consequence, nothing amounting to Empire and Sovereignty, but all this was to be transacted by the Convention of Estates, which he tells you every Year, met on the first of May. Here he admires the Wisdom of his Ancestours, and from this Rapture falls to an Enumeration of such things as were handled and determined by the Sacrosanct Authority of this publick Council, as he words it. These were no less, you must know, than electing or deposing a King, which he is never weary of inculcating, determining about Peace or War, making Laws, bestowing the greatest Commands, Honours and Government, providing Patrimony for the Sons of the deceased Kings, and Portions for their Daughters, which by a German word they called *Ahamagium* as an excluory Part; in sum, here were determined all those things they vulgarly call matters of State, because nothing that related intimately to the State or Commonwealth could legally be done any where, but in this Council. If the Case stood thus, the Kings were indeed but Idols of Wax or Puppets, which moved their Lips, Eyes and Hands, according as they had motion given them. But the boldness of his Assertion, quite over Balances the weight and Efficacy of his Arguments.

108. Indeed his Reasons to speak indifferently are very frivolous. The making and marring of Kings, he strengthens by one other Testimony out of *Aimoinus*; but one so ridiculous, that we shame for him to produce it. This is, that *Charles the Bald* in a general Assembly held at *Carissacum* or *Cressy*, girt his Son *Charles* with a Sword, and setting a Royal Crown on his Head, gave to him *Neustria*, and to *Pippin Aquitain*. A fit evidence to be joyned to those he formerly made use of. A King is Crowned in a great Assembly of Nobles, and the common sort, therefore the People elect him, and bestow the Crown upon him, as their own Gift. It seems *Charles* their Father was the Orator or Speaker of the Assembly, and how can you chuse but believe that after a great debate, the Question was put, and it was carried in the affirmative, that their said Speaker *Charles* (who possibly had no Vote, neither as our Chancellours and Keepers have not in the House of Lords, when they are not Peers themselves) should in their Name, and by Virtue of their Command, as their Minister solemnly invest them in their Royal Offices, which should be but Conditional neither, held during Pleasure, or at farthest, so long as they should well demean themselves therein, that is till this multitude should say they did otherwise, for who I pray must Contradict them, if they affirmed a Wart to be an Horn? Almost as weak is the next that follows, about the said *Charles*, how going to *Rome*, he held a general Assembly on the first of June at *Compendium* or *Compeigne*, where he ordained in certain *Capitula*, or Heads, after what manner his Son *Lodowick*, with those were trusty to him and the Nobility of the Land, should govern the Kingdom till his return. This he calls *Infigne Testimonium*, concerning the power of this Council, in disposing of the Kingdom; add judge, Reader what it amounts to. It is not said, that they ordain in his Presence; or together with him, but in the singular number: He ordains, using their Councils and Direction. But he subjoyns, that the Nobility finding *Charles* the Simple, by reason of his young Years incapable to Govern, chose *Odo* his Protectour or Guardian. Another wonderfull Testimony of the Peoples power in disposing the Kingdom. If he was not able to Govern, some must; they offered not to depose him, and Elect another in his place. A Guardian he wanted; and he had not Judgement and Discretion enough to chuse one himself; in such a Case of necessity therefore, why might not they do it for him?

*Lib. 6. c. 19.
His fide memo-
ria lapsus est
Hotomanus, locum
enim Aimoini est
de Lodovico Imp.
qui filium suum
Carolum in hoc
conventu armis
coronatum id est
Euse. caixii.*

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109. As worthily doth our Authour discharge himself, in reference to the second thing, wherein he asserts the supreme Power of this Council, and that is in the point of making Laws. Would not the Reader expect some such Proofs as these. The Council by its own Authority enacted such and such things, such Laws were made by the Council, the King not being at all considered therein, being unwilling, absent or the like; these were some Foundations for such high Confidence and Presumption. But what think you is his Evidence? a certain place in *Gagains*, which hath these words concerning *St. Lewes*, and you must mind them well. *Lewes* being come to *Paris*, and having assembled a general Convention, reformed the Commonwealth, excellent Laws being made concerning the distribution of Justice by the Judges, prohibiting the Sale of Offices with other matters. Behold here *Lewes* reformed the Commonwealth, how? By making Laws; for though it be said, *Statutus optimis Legibus*, absolutely without a restriction to his Person, yet it is said, *Habito generali Conventu*, now who called and assembled the Meeting but himself? That in such Meetings there used to be debated the making of Laws is most Evident, even in later times, when the Government was grown more highly Monarchical, as in *Francis* the First, and *Francis* the Second's time, little more than one hundred Years since, such a Design was set on Foot in the time of *Francis* the second, and completed at *Orleans*, in the beginning of the Reign of *Charles* the Ninth, in a full Assembly of the Nobility, Ecclesiastics and inferior sort of Men, the product of which was a Book of Laws published the same Year, which work was renewed by the said *Charles* several times after. But to say, that all the Power and Authority of making Laws remained with the Estates without the King is most absurd. Certainly it's one thing for a matter to be Transacted or done in an Assembly, by its Council and Direction, another to be enacted and ordained by the sole Virtue and Authority of such a Meeting.

110. If in any Authour, he can but find after his diligent search any impudent Act, any Seditious and unlawfull Attempt, any Violence and Usurpation committed by the People, or a party of the Nobility, he hath both the Logick and the Modesty to argue from the Fact, to the Right and Authority of the Adversaries; with as good reason as from the Robberies of the *Banditti*, and the force they many times put upon the Inhabitants of the Countrey, he may conclude they have a Title to the Territories, and a Legitimate Sovereignty over those Persons, which are the Subjects of their Rapines. Because *Charles the Bald* had discontented some of the Great ones, about the disposing of Offices and Preferments, that is, had not preferred themselves, they met together, they entered into a Conspiracy against *Lodowick* his Son, who was to succeed, but after some Messages, sent to and from they agreed, and he was Consecrated and Crowned by the Consent of all, as well Abbats and Bishops, as the Nobility of the Kingdom. That they mutined it appears, but that they themselves had right to dispose of Preferments appeareth no where. Neither can *Hoteman* conclude any thing we hope from this place, that they Elected him King, the words being that by their Consent he was Consecrated and Crowned, and that they swore fealty to him. He received the Kingdom from his Father, concerning whom there is a passage in this very place he quotes, which *Hoteman* would not mention, and therefore we shall do it for him. Before the Agreement fully concluded, and the Coronation, *Richildis* came to *Lodowick* to *Compeigne*, and thither brought him the Precept, whereby his Father before he died, had delivered up the Kingdom to him, together with the Sword of *St. Peter* as they called it, whereby he invested him in the Kingdom, and a Royal Robe, a Crown and Staff, or Sceptre, of Gold and pretious Stones: His Father it seems thought he could herewith invest him in the Kingdom before any Ceremony passed from the People. As much to his purpose, is what he cites out of the Appendix to the History of *Gregory* concerning *Clotair*, his referring it to the Estates of *Burgundy* to chuse a Major of the Palace to succeed *Warnbar*. The Reader may remember, that the *Burgundians* had of their own accord shaken off the Yoke of *Brunichild*, and revolted to *Clotair*. In way of Gratitude, and to bind them to him he grants them this Privilege, and passeth this Complement, which had they had a Right to chuse, it would have behaved them not to wave it; but they desired to be excused, chusing rather to live under his immediate Government, without such an intervenient Minister.

111. As little wonder is it, that in times of Contentions and Factions, those that thought the Estates would be on their side, should refer the matter in question to the Determination of this Council, as *Clotair* did knowing *Brunichild* to be mortally

Cum Parisiam
Ludovicus ve-
nisse convenit
generali habito,
Campidori reformavit, statuta opti-
misi Legibus de
jure a Judicibus
dicendis, &c. de
officiis suo tem-
poris, &c.

A.D. 1560.

A.D. 1566. &
1572.Aimoinus, lib. 5.
c. 36.

Attulit et Pre-
ceptum per quod
pater suus illi
regnum ante
mortem suam
tradiderat: &
Spathon quo vo-
catur, iussit Po-
ter, per quem in-
venit de Regno in-
vestitus: sed &
regnum vestimen-
tum quo coronam
ac sceptrum ex auro
& gemmis
decoravit.

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mortally hated by all the Nobility. Neither can we blame *Charles the Great*, if to secure to his Sons those shares of the Empire he had designed them, he should require the advice and consent of the Estates, as that which would oblige them to Obey such as they had received to be their Kings, and as a means to keep his Sons in Order, and hinder them from encroaching one upon another. From that single example of *Clotair*, whereby to shun Odium, and the thought of Malice and Revenge, he referred the case of *Brunichild* to the Army and Nobility, (which he calls by the Name of this Council,) he fairly draws this General Conclusion; that it was a Custom, if any Prince or great Person was accused of a Crime, to be arraigned before this Assembly. And from all put together, that the whole Government lay in this Assembly, which was called *Placitum*, because after the custom of the Latine Tongue that was properly so called, which after much deliberation was settled and agreed upon, as for Example, in *Cicero* and other ancient Writers we meet with *Placita Philosophorum*. Hence he infoces that Conjecture which he had made in other Books he had formerly Written, that the common Form used by the King's Clerks at the end of Laws and Edicts, viz. *Quia tale est Placitum nostrum*, had its Original from this *Placitum* whereof we speak. This being written in Latine, (as he conjectures it appears from *Aimoinus*, the Capitulary of *Charles* the Great and other Monuments,) these Clerks or Scribes coming to use the Speech of the Countrey, by ignorance, or rather through an evil purpose turned it into this Expression: *Car tel est nostre Plaisir*, For such is our Pleasure. That which confirms him in his Opinion is this. The People was interrogated concerning the *Capitula* or Heads to be added to the Laws, and after they had consented, they confirmed them by Subscriptions. Hence it appears, that the People were bound to no Laws but what they made themselves. Lastly, he observes again from one single Testimony and instance and no more, that Foreign Princes were wont to refer their Controversies to the Cognizance and Determination of this Council, so great was its Fame and Authority.

112. So great a Noise he made, for Noise it is consisting of words, which conclude nothing of that his Assertion, that the supreme Administration of affairs lay in this Assembly, which they did indeed call by the Name of *Placitum*. But as *Matharel* very well excepts against him, there's no need that the ordinary Form *Cartel est nostre plaisir* now used, should at all be derived from this *Placitum*, but from the ancient custom of *Roman* Emperours, Kings and Popes who generally used such an Expression at the end of their Edicts, to take away all doubt and Ambiguity. *Justinian* hath this expression at the close of his Constitutions. *Que igitur placuerunt Nobis tua sublimitas operi effectuique dare festinet*; some times this, *Quae a Nobis disposita sunt*, or *Quae igitur praeclare Nobis & Religioni placuerunt*; but *Quae placuerunt Nobis* most commonly. Nay it's to be hoped to great a Lawyer as he could not affirm, that the Emperours of *Rome* held such *Placita* wherein lay the supreme Administration, and without which they could neither make Laws, nor doe any thing else. But so great is his Design and *Studium Partium* in this matter, that one cannot but with admiration and disdain perceive how right or wrong he drives all things in by Head and Shoulders. Surely he had never read, or he deeply dissembles that place of *Gregory Turonensis*, where he speaks concerning *Chilperick*, who in his Edicts or Precepts sent to the Judges added this Clause; if any shall Contemn our Commands, let him be punished by pulling out his Eyes. He may answer us that this *Chilperick* was a Tyrant, or as *Gregory* calls him, the *Nero* of his time, and so indeed he is accounted by our Historians, but any one may see what was the reason, they were such men as he was no Friend to; he complained they had got all the Revenues, and his Exchequer was poor, and such Princes as he who have had the luck in these dark times to have their actions related and transmitted to Posterity, by no other than Religious Persons, are never well spoken of but rendered infamous, a thing which hath happened to Monkish Authours, to some Princes of our own Nation.

113. But to make an end of this Controversie as it's more than time, by perusal of *Gregory Aimoinus* and others of those ancient Writers, to any unbiassed and indifferent Reader it will appear, that the *Merovingian* Kings of the *Franks* had *Tota Majestas*. These are such as these, Power of Peace and War, to make Laws, power to raise Money, and of Life and Death. The Wars of *Clodowas*, of *Theodrick*, and in general of all those that Conquered *Gall*, and made War in *Italy* and other Countreys, nay, of *Charles Martel* who was no King, but the Prime Minister, or Major of the Palace, sufficiently evidences this thing, for who will shew us that he

vide Appendix ad
Gregorij Turon.
Hist. c. 37.

Si quis precepta
nostra contempserit,
oculorum a-
rte, lib. 6. c. 2. ult.

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was done by a prevalent Vote or decree of this General Assembly, except he will say that when this present French King for example makes war in the Low Countries, because his Nobility and Gentry accompany him in the Expedition, because they do not refuse to joyn with him, but serve him in this Employment, therefore Peace and War are in their power, and they are the General assembly, or *Placitum* which hath the supreme Administration of Affairs; for this would well suite the way of *Hottoman's* Arguing, to be sure, if the King should make a Speech to them at the Head of his Troops, and they applaud his purpose, and encourage him to the Undertaking. For the power of making Laws, the famed *Salick* Laws no man hath yet said to have been framed in a *Placitum* or assembly of the Estates, but by *Wifogoth* and his few Companions. If the Kings could make Laws for raising of Money and payment of Tribute, certainly they might do it in other Cases; *Clothair* required the third part of the Fruits of the Grounds, even to be paid by Churches. And we find that *Chilperick* laid new Taxes upon the Subject, and several sorts of ways increased the former Revenues of his Crown. He is blamed for this by the Historians, and we are told it caused a Mutiny, but what was the reason, viz. the excessive burthen he laid upon the People. Every *Arepennus* or half an Acre of the Hillorians, and we are told it caused a Mutiny, but what was the reason, viz. the excessive burthen he laid upon the People. Every *Arepennus* or half an Acre of the Land must pay an *Amphora* of Wine. *Gregory* tells us, if he tell true, the Impositions were so great they could not be born. The thing that offended was the quantity, not the Imposition itself, nor the Authority; they do not complain that he broke the Laws of Government, that he usurped the Power which belonged to the *Placitum* or the assembly of Estates, that he took that upon him which his Successors never challenged, and the Laws forbade, but his Impositions were heavy and could not be endured.

Sed et alia funditus infingebantur multa tam de religiosis terris quam de municipiis: quod impleri non poterant. Gregor. l. 5. c. 27.

114. The like is objected as to the Punishments inflicted by him, not that he did *punire* or take the cognizance of the case to himself, but *injuncte punire*, and that for to seize on the Goods of the Persons condemned. Nothing is more ordinary than to meet with examples of this kind, how not only he but all the other Kings of the *Merovingian* Family, before such time as the Majors of the Palace came to usurp the Government, took this Power of Condemning or absolving, Punishing or Pardoning at their own Wills or Discretions. When they did without nothing or Pardoning at their own Wills or Discretions. When they did without cause, as *Gunttran*, put to Death his best Servant, then are they blamed, but never for taking the Authority of the thing it self, of depriving men of their Lives or Estates, when the Parties deserved it. The most wary of them considering what a matter of weight the Life of a Man and the ruine of a Family is, were wont to call to their assistance, their Nobility or attendants to sift out the matter, and give their advice for a more certain and just way of proceeding, it being indeed a very hard and dangerous practice for one man to assume the Cognizance of matters relating to Life and Death alone. So the Tryal of *Injuriosus* about killing of a certain Jew his Creditor was held before King *Childebert*, and this was called *Placi*. *lib. 7. c. 23. tum*, as indeed any meeting in General, as the Treaty betwixt *Gunttran* and his Nephew *Childebert* is called by this very name. So doth *Aimoinus* use it to signify a Colloquy or Treaty betwixt *Chlodowes* and the *Goths*, and an Interview, Debate, or Colloquy betwixt the said *Gunttran* and his Nephew *Childebert*. The first time we meet with it in him when it signifies an assembly of the Estates, is when *Dagobert* summoned a General assembly together for making of his Testament. The cause was not that he could not make it himself without their authority, but as he tells them, that he alone might not applaud himself. He had already determined and resolved what to do, but he would have it signed not only agree with his own Hand, but those of his two Sons, whom this day faith he in so many words I make and ordain Kings, and by the Hands of the Bishops also and Confessors. Now *Hottoman* will not say the Subscription of the Sons of the Kings was necessary, to establish or enact a thing in the Assembly. Yet this he requires especially and for this reason, that he was afraid after his Death his two Sons would endeavour to invalidate his Will. There lay his fear, therefore he conjures them to keep it inviolable, as they should expect the like Duty and Obedience from their Successors. No arguments, no persuasions doth he use to the Assembly, as having summoned it to give Countenance to the thing, the better to keep his Sons to their present promise and Engagement.

Pater filius Regis Constituit non itaque electus est a Populo Chlodowes vel Hlotharius, quoniam Hottomanus hoc affirmat, quomodo vero probati pulchre scilicet ex illis Append. Verbis Omnesque Laudes cum in Atstiana villa fulscent in Regem, euge.

115. Indeed

115. Indeed before this we find in the same Author mention made of a Convention of the Nobility of the *Franks*, but not by the name of *Placitum*. This *Clothair* the Son of *Chilperick* advised *Brunichild* to summon to debate the matter of Succession, having held Intelligence with them, and knowing most certainly they would be at his Devotion, and therefore he would make them Umpires in the case, not that by any right and authority they were so, neither do we find that the case, nor that by his advice. Not long after this time, I am verily of the opinion that those Assemblies began to be things of course. Of the yearly *Placita* or Conventions of the Estates in *Gregory Turonensis* not one word is to be found, neither can it be perceived by him that the *Placita* were held of course, but only as occasion required the Kings summoned these Conventions. Towards the decay of the Monarchy they came into fashion, when the Majors of the Palace to gain more Power, sought to please the Nobility by referring matters to their Cognizance, and determination.

The first hint we have out of *Aimoinus* that they were Annual, is given upon occasion of the *Saxons*, whom *Pippin* having brought to terms; caused them to engage to present every year three hundred Horses at the General meeting. *Pippin* to obtain the Crown which he so much longed for, omitted nothing to court the People, and having once obtained it, that it might sit fast upon his Head and those of his Successors, thought it safest to follow still on the same course. So did his Son *Charles*, to prevent Seditions during his absence in *Saxony*, *Italy* and other places, knowing very well that he was an Emperor of the first, and a King but of the second Head. After his Death most grievous Troubles arose, through the differences and Wars of his Posterity, Emulation betwixt Competitors ever producing this Effect, that People gain and the Crown loses, while every one that contends for it, is glad to make Friends and part with one or more Flowers of it, to purchase a quiet Possession of the rest, through the favour and assistance of the Estates. This gave encouragement to these Assemblies, to take still more upon them, and the differences, through their sittings and bandings, of *Charles* his Posterity came to such height as to give encouragement to *Hugh Capet* a man of another Extract to set up for himself, there being none thought worthy to Reign that remained of the *Carolingians*, who were thus punished in their kind, for their Usurpation and Revolt from the *Merovingian* Line.

116. Thus did the use and Authority of this *Placitum* or Assembly of Estates arise and increase, through the diminution of the Royal Authority, the ambition of the Majors of the Palace, the Usurpation of *Pippin*, and the Judgments which ensued upon his Family. But from particular extravagant and illegal actions *Hottoman* would draw general Conclusions; So weak are his Arguments, and so palpable his Design, that his Book upon a severe examination, can hardly escape the censure of a Libell which Name by certain Persons is thought most fit to be conferred on it, and which confirm to us the truth of what *Cujacius*, that great Lawyer passed upon his Works, that they do *Scutica indigere*, need something fit to chastise and correct them. A very learned Lawyer indeed he was, but addicted to a Party which was too fruitfully learned Lawyer indeed he was, but addicted to a Party which was too fruitfully in this kind, and about the same time brought forth several such Brats as this, to instance, *Junius Brutus*, and the Treatise *De Jure Regni apud Scotos*, forged doubtless upon the same Anvil, though not perhaps by the same hands, which sufficiently betray the extraordinary Heat and turbulent Humour of the Contrivers; what he farther Writes concerning the Majors of the Palace in part we must approve, and in part reject: That they came up but towards the latter end of the Reign of the *Merovingians* is certain, I mean to that Power and Dignity which they usurped. For towards *Chlodowes* his days, who hears any thing of such an Officer; and in the very Reign of *Lotharius* and *Childebert*, where have we any mention of these Majors, except by the bye upon occasion of some other thing, for they were then but Domestic Officers and Officers in the Palace.

Franci botiverni non abire itaque Parlamentum municipum. Belgium Meut et Meubide et regnum Meutmeut pro convito et conari. Franci botiverni non abire itaque Parlamentum municipum. Belgium Meut et Meubide et regnum Meutmeut pro convito et conari. Franci botiverni non abire itaque Parlamentum municipum. Belgium Meut et Meubide et regnum Meutmeut pro convito et conari.

117. Therefore do we find that their Dignity and Place was inferior to that of a Bishop, as appears from *Gregory Turonensis* in the case of *Badechisl*, who from a Major of the Palace was preferred to that Sacred Function, and from the same Author it is evident, that not only Kings but Queens also had such Officers, as had *Bogundis* whom *Waddo* served in this capacity. *Hottoman* observes out of *Hil-*

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Gregor. lib. 4. c. 27.

Sec. 4. ry, that besides this they had several other Names or Titles, being called *Magistri Regii Palatii*, *Præfetti Aule*, *Comites*, and *Comites Demus Regie*. But as he is out in comparing them for the Nature of their Office to the *Præfetti Prætorio* of the Romans, so in this also that he makes the *Major Domus*, and the *Comes Palatii* to be the same. For *Gregory* makes mention of *Florentianus* the *Major Domus Regie*, and of *Romulus* the *Comes Palatii*, both which were sent by King *Childebert* at the Invitation of *Meroneus* the Bishop into *Poitou*. About the time of *Clothair* the Second, they began to aspire after an extravagant Power, and the carelessness of some Princes gave them opportunity to increase it to that grandeur, at which at last it arrived. Yet were not all the Kings of the *Merovingian* Race, in general, such Sots as *Eginhart* the Chanceller of *Charles* the Great, (and from him *Sigebert*) out of flattery to his Master, and to palliate the Treason of *Pipin* would make them, witness the great things achieved by them against the *Romans*, *Alemans*, *Goths* and other Nations before ever these Majors were heard of. As I hinted before, the Authority of the *Placitum* or General Assembly increased with theirs, as well that of the one as the other being not heard of till later times, whatever *Sigebert* Writes that once a year on the first of *May*, the Kings were wont to shew themselves to the People, to salute and be saluted by them. They found it a good expedient to preserve and increase their Power thus to cajoll the People; then *Pipin* concluded that as naturally things are preserved the same way they are obtained, it was convenient to use the same means for keeping the Crown on his Head, which he had served himself of in the setting of it on; and what in him and his Son *Charles* was highly convenient, the Diffentions and Quarrels of their Posterity did afterward render as highly necessary.

118. To understand yet more fully the Polity of the ancient *Franks*, to that of the Kings and Majors of the Palace, we must add the knowledge of the Dukes and Counts, a Subject proper to have been considered by *Hotoman* in his *Franco Gallia*, but that he could find nothing in it fit to drive on his great Design. That *Duces* were Generals of Armies amongst the *Romans*, and afterward Commanded Forces upon the Borders, we have already sufficiently discovered. After the *Goths* had seized upon part of *Gall*, although deadly Enemies to the *Romans*, yet did they not much alter the State of the Provinces, setting after their Example Dukes over the Provinces, and Counts over the General Cities. So do we find that King *Eurick* appointed *Vitorius* to be Duke over seven Cities and the *Arvern*: And about the same time we find that *Marseilles* was under the Government of a Count, mentioned by *Sidonius* upon a particular occasion. Afterwards we find *Goianus* and *Zimobius* famous upon this account, that the Breviary of *Theodosius* his Code being finished, *Alarick* sent it unto them to be made use of in Administration of Justice, as appears by the Commonitory prefixed to the Work. In like manner the *Franks* having vanquished the *Romans*, *Goths* and *Burgundians*, and become Lords of *Gall*, did not change the State and Polity of the Provinces, as they found them framed by the *Romans*. They neither abolished the use of Dukes nor Counts, left by a new posture of things they should discontent and alienate the affections of the Provincials, but on the contrary accommodated themselves to the *Roman* Customs, as both *Procopius* and *Agathias* do testify, and thereby though Conquerors submitted to the Conquered. Neither can this seem strange, for the *Franks* serving in the Wars, and being in the *Satellitium* of Guard of the Emperours, had sufficient opportunity to make the Customs of the *Romans* familiar to them; *Ammianus*, as we have formerly shewn, witnessing that a multitude of them flourished in the Court, and *Gregory Turonensis* confirming this to us by this passage, that *Valentinian* being shut up in a private House of *Vienna*, and almost reduced to the State of a private Man, the care of the *Militia* was committed to the *Franks*, who were *Satellites* or of the Guard about him.

119. The *Franks* as they found so continued those of Dukes and Counts, and that from the first founding of their Kingdom in *Gall*, for *Aimoinus* makes mention of *Wnomadus* a Duke under *Childebert*, and of *Aurelian* under *Clodoveus*, to whom the Kingdom of *Milidunum* was delivered. From the beginning of this Sovereignty of the *Franks*, this was the difference betwixt Dukes and Counts; that Dukes had the Command of many Cities, or of particular Provinces, whereas the Counts ruled the particular Cities or parts of Provinces. This is so evident from * *Gregory* c. 18. & ad. 19. c. 7. cum l. 6. c. 25. c. 26. c. 27. cum l. 6. c. 28. c. 29. c. 30. c. 31. c. 32. c. 33. c. 34. c. 35. c. 36. c. 37. c. 38. c. 39. c. 40. c. 41. c. 42. c. 43. c. 44. c. 45. c. 46. c. 47. c. 48. c. 49. c. 50. c. 51. c. 52. c. 53. c. 54. c. 55. c. 56. c. 57. c. 58. c. 59. c. 60. c. 61. c. 62. c. 63. c. 64. c. 65. c. 66. c. 67. c. 68. c. 69. c. 70. c. 71. c. 72. c. 73. c. 74. c. 75. c. 76. c. 77. c. 78. c. 79. c. 80. c. 81. c. 82. c. 83. c. 84. c. 85. c. 86. c. 87. c. 88. c. 89. c. 90. c. 91. c. 92. c. 93. c. 94. c. 95. c. 96. c. 97. c. 98. c. 99. c. 100. c. 101. c. 102. c. 103. c. 104. c. 105. c. 106. c. 107. c. 108. c. 109. c. 110. c. 111. c. 112. c. 113. c. 114. c. 115. c. 116. c. 117. c. 118. c. 119. c. 120. c. 121. c. 122. c. 123. c. 124. c. 125. c. 126. c. 127. c. 128. c. 129. c. 130. c. 131. c. 132. c. 133. c. 134. c. 135. c. 136. c. 137. c. 138. c. 139. c. 140. c. 141. c. 142. c. 143. c. 144. c. 145. c. 146. c. 147. c. 148. c. 149. c. 150. c. 151. c. 152. c. 153. c. 154. c. 155. c. 156. c. 157. c. 158. c. 159. c. 160. c. 161. c. 162. c. 163. c. 164. c. 165. c. 166. c. 167. c. 168. c. 169. c. 170. c. 171. c. 172. c. 173. c. 174. c. 175. c. 176. c. 177. c. 178. c. 179. c. 180. c. 181. c. 182. c. 183. c. 184. c. 185. c. 186. c. 187. c. 188. c. 189. c. 190. c. 191. c. 192. c. 193. c. 194. c. 195. c. 196. c. 197. c. 198. c. 199. c. 200. c. 201. c. 202. c. 203. c. 204. c. 205. c. 206. c. 207. c. 208. c. 209. c. 210. c. 211. c. 212. c. 213. c. 214. c. 215. c. 216. c. 217. c. 218. c. 219. c. 220. c. 221. c. 222. c. 223. c. 224. c. 225. c. 226. c. 227. c. 228. c. 229. c. 230. c. 231. c. 232. c. 233. c. 234. c. 235. c. 236. c. 237. c. 238. c. 239. c. 240. c. 241. c. 242. c. 243. c. 244. c. 245. c. 246. c. 247. c. 248. c. 249. c. 250. c. 251. c. 252. c. 253. c. 254. c. 255. c. 256. c. 257. c. 258. c. 259. c. 260. c. 261. c. 262. c. 263. c. 264. c. 265. c. 266. c. 267. c. 268. c. 269. c. 270. c. 271. c. 272. c. 273. c. 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649. c. 650. c. 651. c. 652. c. 653. c. 654. c. 655. c. 656. c. 657. c. 658. c. 659. c. 660. c. 661. c. 662. c. 663. c. 664. c. 665. c. 666. c. 667. c. 668. c. 669. c. 670. c. 671. c. 672. c. 673. c. 674. c. 675. c. 676. c. 677. c. 678. c. 679. c. 680. c. 681. c. 682. c. 683. c. 684. c. 685. c. 686. c. 687. c. 688. c. 689. c. 690. c. 691. c. 692. c. 693. c. 694. c. 695. c. 696. c. 697. c. 698. c. 699. c. 700. c. 701. c. 702. c. 703. c. 704. c. 705. c. 706. c. 707. c. 708. c. 709. c. 710. c. 711. c. 712. c. 713. c. 714. c. 715. c. 716. c. 717. c. 718. c. 719. c. 720. c. 721. c. 722. c. 723. c. 724. c. 725. c. 726. c. 727. c. 728. c. 729. c. 730. c. 731. c. 732. c. 733. c. 734. c. 735. c. 736. c. 737. c. 738. c. 739. c. 740. c. 741. c. 742. c. 743. c. 744. c. 745. c. 746. c. 747. c. 748. c. 749. c. 750. c. 751. c. 752. c. 753. c. 754. c. 755. c. 756. c. 757. c. 758. c. 759. c. 760. c. 761. c. 762. c. 763. c. 764. c. 765. c. 766. c. 767. c. 768. c. 769. c. 770. c. 771. c. 772. c. 773. c. 774. c. 775. c. 776. c. 777. c. 778. c. 779. c. 780. c. 781. c. 782. c. 783. c. 784. c. 785. c. 786. c. 787. c. 788. c. 789. c. 790. c. 791. c. 792. c. 793. c. 794. c. 795. c. 796. c. 797. c. 798. c. 799. c. 800. c. 801. c. 802. c. 803. c. 804. c. 805. c. 806. c. 807. c. 808. c. 809. c. 810. c. 811. c. 812. c. 813. c. 814. c. 815. c. 816. c. 817. c. 818. c. 819. c. 820. c. 821. c. 822. c. 823. c. 824. c. 825. c. 826. c. 827. c. 828. c. 829. c. 830. c. 831. c. 832. c. 833. c. 834. c. 835. c. 836. c. 837. c. 838. c. 839. c. 840. c. 841. c. 842. c. 843. c. 844. c. 845. c. 846. c. 847. c. 848. c. 849. c. 850. c. 851. c. 852. c. 853. c. 854. c. 855. c. 856. c. 857. c. 858. c. 859. c. 860. c. 861. c. 862. c. 863. c. 864. c. 865. c. 866. c. 867. c. 868. c. 869. c. 870. c. 871. c. 872. c. 873. c. 874. c. 875. c. 876. c. 877. c. 878. c. 879. c. 880. c. 881. c. 882. c. 883. c. 884. c. 885. c. 886. c. 887. c. 888. c. 889. c. 890. c. 891. c. 892. c. 893. c. 894. c. 895. c. 896. c. 897. c. 898. c. 899. c. 900. c. 901. c. 902. c. 903. c. 904. c. 905. c. 906. c. 907. c. 908. c. 909. c. 910. c. 911. c. 912. c. 913. c. 914. c. 915. c. 916. c. 917. c. 918. c. 919. c. 920. c. 921. c. 922. c. 923. c. 924. c. 925. c. 926. c. 927. c. 928. c. 929. c. 930. c. 931. c. 932. c. 933. c. 934. c. 935. c. 936. c. 937. c. 938. c. 939. c. 940. c. 941. c. 942. c. 943. c. 944. c. 945. c. 946. c. 947. c. 948. c. 949. c. 950. c. 951. c. 952. c. 953. c. 954. c. 955. c. 956. c. 957. c. 958. c. 959. c. 960. c. 961. c. 962. c. 963. c. 964. c. 965. c. 966. c. 967. c. 968. c. 969. c. 970. c. 971. c. 972. c. 973. c. 974. c. 975. c. 976. c. 977. c. 978. c. 979. c. 980. c. 981. c. 982. c. 983. c. 984. c. 985. c. 986. c. 987. c. 988. c. 989. c. 990. c. 991. c. 992. c. 993. c. 994. c. 995. c. 996. c. 997. c. 998. c. 999. c. 1000. c. 1001. c. 1002. c. 1003. c. 1004. c. 1005. c. 1006. c. 1007. c. 1008. c. 1009. c. 1010. c. 1011. c. 1012. c. 1013. c. 1014. c. 1015. c. 1016. c. 1017. c. 1018. c. 1019. c. 1020. c. 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1132. c. 1133. c. 1134. c. 1135. c. 1136. c. 1137. c. 1138. c. 1139. c. 1140. c. 1141. c. 1142. c. 1143. c. 1144. c. 1145. c. 1146. c. 1147. c. 1148. c. 1149. c. 1150. c. 1151. c. 1152. c. 1153. c. 1154. c. 1155. c. 1156. c. 1157. c. 1158. c. 1159. c. 1160. c. 1161. c. 1162. c. 1163. c. 1164. c. 1165. c. 1166. c. 1167. c. 1168. c. 1169. c. 1170. c. 1171. c. 1172. c. 1173. c. 1174. c. 1175. c. 1176. c. 1177. c. 1178. c. 1179. c. 1180. c. 1181. c. 1182. c. 1183. c. 1184. c. 1185. c. 1186. c. 1187. c. 1188. c. 1189. c. 1190. c. 1191. c. 1192. c. 1193. c. 1194. c. 1195. c. 1196. c. 1197. c. 1198. c. 1199. c. 1200. c. 1201. c. 1202. c. 1203. c. 1204. c. 1205. c. 1206. c. 1207. c. 1208. c. 1209. c. 1210. c. 1211. c. 1212. c. 1213. c. 1214. c. 1215. c. 1216. c. 1217. c. 1218. c. 1219. c. 1220. c. 1221. c. 1222. c. 1223. c. 1224. c. 1225. c. 1226. c. 1227. c. 1228. c. 1229. c. 1230. c. 1231. c. 1232. c. 1233. c. 1234. c. 1235. c. 1236. c. 1237. c. 1238. c. 1239. c. 1240. c. 1241. c. 1242. c. 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1354. c. 1355. c. 1356. c. 1357. c. 1358. c. 1359. c. 1360. c. 1361. c. 1362. c. 1363. c. 1364. c. 1365. c. 1366. c. 1367. c. 1368. c. 1369. c. 1370. c. 1371. c. 1372. c. 1373. c. 1374. c. 1375. c. 1376. c. 1377. c. 1378. c. 1379. c. 1380. c. 1381. c. 1382. c. 1383. c. 1384. c. 1385. c. 1386. c. 1387. c. 1388. c. 1389. c. 1390. c. 1391. c. 1392. c. 1393. c. 1394. c. 1395. c. 1396. c. 1397. c. 1398. c. 1399. c. 1400. c. 1401. c. 1402. c. 1403. c. 1404. c. 1405. c. 1406. c. 1407. c. 1408. c. 1409. c. 1410. c. 1411. c. 1412. c. 1413. c. 1414. c. 1415. c. 1416. c. 1417. c. 1418. c. 1419. c. 1420. c. 1421. c. 1422. c. 1423. c. 1424. c. 1425. c. 1426. c. 1427. c. 1428. c. 1429. c. 1430. c. 1431. c. 1432. c. 1433. c. 1434. c. 1435. c. 1436. c. 1437. c. 1438. c. 1439. c. 1440. c. 1441. c. 1442. c. 1443. c. 1444. c. 1445. c. 1446. c. 1447. c. 1448. c. 1449. c. 1450. c. 1451. c. 1452. c. 1453. c. 1454. c. 1455. c. 1456. c. 1457. c. 1458. c. 1459. c. 1460. c. 1461. c. 1462. c. 1463. c. 1464. c. 1465. c. 1466. c. 1467. c. 1468. c. 1469. c. 1470. c. 1471. c. 1472. c. 1473. c. 1474. c. 1475. c. 1476. c. 1477. c. 1478. c. 1479. c. 1480. c. 1481. c. 1482. c. 1483. c. 1484. c. 1485. c. 1486. c. 1487. c. 1488. c. 1489.

Sect. 4.

126. The Roman Empire going to Ruine, and the *Goths* having seized on *Aquitain*, with the Province of *Narbon*, they endeavour'd to remove, as other Marks of the Roman Dominion, so also that of the Laws. But in respect of the Laws, the Provincials despised them, keeping to those of *Theodofius*, and raised heavy Complaints against *Seronatus* the Prefect of *Gall*, as treading upon those of *Rome*, and Conspiring with the *Goths* for their Extirpation. At length *Alaricus* the last King of these *Goths*, perceiving the Minds of the People so addicted to the Laws of *Theodofius*, that there was no hope of bringing them to have any *Gusto* of the *Gothick*, caus'd a Breviary of *Theodofius* his Code, to be Compos'd by some Select Persons, and to be published by *Anianus* his Chancellour; and left he should diminish his own Majesty, by admitting this Foreign Law, made it his own as appears by the Commonitory to *Timotheus* the Count prefix'd to it. This *Alarick* being slain, *Aquitain* with part of the Province of *Narbon*, was subdued by *Clodonaus*, but *Septimania* for the present escaping the Conquerours hands, remain'd in the Power of the *Visigoths*, as did the Province of *Arby* in the hands of *Theodorick* the *Ostrogothian* and *Italian* King. In these Countries yet remaining to the *Goths*, to be sure the *Roman* Law Continued safe, of which *Theodorick* himself is more than once Witness in *Cassiodorus*. *Clodonaus* also, either because he thought it impossible, or unsafe to make such an Alteration, or unwilling to shew any Harshness to those who had invited him into the Countrey, or rather for that he had no better to obtrude upon them, suffer'd them to enjoy their beloved Civil Law. with all Freedom.

(Lib. 3. pp. 17. p. 43.)

127. Hence came it to pass, that the Provincials of *Aquitain* and others beyond the *Loire*, were by the *Franks* called *Romani*, as also the whole Countrey on that side of the same River, *Romania*, *Romana Terra*, and *Gallia Romana*. Moreover King *Clothair*, under the Name of *Romans* by an Edict, permitted them the use of *Roman Laws*, as also did *Guntran*, *Chilperick* and *Sigebert* by their Approbation. As agreeable hereto, did several Bishops and others, make their Wills fully conformable to the Rules of the Civil Law which *Gregory Turonensis* witnesseth; and *Aimoinus* tells us, that *Sadregiflus* the Duke of *Aquitain* being slain, his Sons for that they would not profecute and revenge the Murder, were according to the appointment of the *Roman Laws*, depouled of all their Father's Goods. In the days of *Clodonaus* the second, and the Son of *Dagobert*, flourish'd this Law as is fully manifest from *Marculus* his Forms of Codicils directed to the Rulers of Provinces. In the Age also of *Childerick* the second it is evident enough, that the Civil Law was in high Esteem, both in the Courts and the Schools of the *Auverni*. *Charles* the Great, following the Example of his Predecessours of the first Line, established the use of it to those that lived beyond the *Loire*, Commanding the Code of *Theodosius* to be mended for their use, as appears from the last words added to the Commonitory of *Alelaricus*, and prefixed to the said Code. Nay he was so great a Friend to this imperial Law, that many things out of this Volume he caused to be transferred into his own Capitularies. The same Courfe was observed, by those of his Family to the Ruine thereof, a notable Instance of which we have in *Gerard*, a certain Count of *Aquitain*, who that he might not break the famous Law called *Falsa Cialia* (and *Mundialis* in our Author) by his Testament refused to Manumitt more than one hundred of his Slaves. At that time flourish'd many eminent Men in *Aquitain*, who were great Proficients in this Science. Particularly *Abbo* the Father of *Odo Cluniacensis*, is said by *Joannes Italus* the Writer of the History of the Son, to have had by Heart the Histories of the Ancients, and the Novel of *Justinian*. In *Septimania* indeed, by an Edict of *Cindulfundus* King of the *Vestgots*, the *Roman Law* was as it were turned out of Doors, and the *Gothick* prevailed so long as the *Goths* possessed that part of *Gallia Narbonensis*, but after the Countrey was subdued by the *Franks*, they recalled the *Roman* as we may easily gather from the perpetual Laws of *Charles* the Great, *Ludovicus Pius*, and *Charles* the Bald.

128. But we are told by *Eginart*, that the *Franks* had two Laws very different in many places. The Reader must know then, that besides this of the *Romans* they found in *Galz*, they made or brought with them another of their own which is the *Salick Law*, so much spoken of in later Ages. Who were the Authours of it, is sufficiently set forth in the Preface, and *Sigebert* moreover informs us; as that it was Composed by four of their Noblemen chosen out of many, and known by the Names of *Wifogast*, *Befogast*, *Salogast* and *Widogast*, in these Villages of Germany, *Salachaim*, *Bodechaim* and *Wingehaim*. We are told that these four meeting in three *Mali*.

Fredegarius in
Chronica Ligeris
alveum transeunt,
Romanos prote-
runt, usque Bitu-
rigas urbem ac-
cedunt, &c. Con-
cilia item pas-
sim. Fortunatus,
Luitprandus alii.

*Ex vita S. Pra-
jeſſi Arvernensis
Ep. & ex vita S.
Boniti iidem Ar-
vernensis Ep. apud
Syrum. Tom. 1.*

Januar. 13.
Et iterum Anno
XX regnante Caro-
lo Rege Franc.
& Longobard. &
Patricio Romano.
Iustum inquit est
ut lex Mundialis
in hoc observetur,
& ideo numerum
in eadem lego
præstitum præ-
tergredi non de-
bere.
Odo Cluniacensis
viti. S. Gerald.
lib. 3.
Leg. Wisig. l. 2.
c. 8.

Nam Franci dant
habent leges plu-
rimis in locis val-
de diversas.

S *Sigebertus Gem-*
blacensis ad Ann
S 422.

Malli, or so many several places of Assemblies, very carefully handled and diseauſed Causes, relolving to Judge according as the *Salick Law* declarath. Whence it should be called, there are different Opinions. Some derive the Name from *Sal* Valde Potentem in Orig. Francic and *Sala*, signifying a Court or Hall, as if for *Salica* should be meant *Aulica*. So *Aventurin* interprets *Lex Salica*, *Terra Salica*, *Salica Prædia*, and *Salici Clientes*, and indeed till at this day the Dutch-men have this word *Salubck* frequently in their Mouths, whereby they mean *Salica Codex* or a *Salick Book*, wherein are described the Grounds belonging to the King or Church, together with the Tributes and Revenues. Moreover in the Laws of the *Alemans* and other Nations, the word *Sala* is often used for an *Houſe*, as *Hall* now is used by us *Engliſh*, and not only for the greatest Room or dining Room, as *Salle* in *French* alſo ſignifies. In this ſenſe the *Salick Land* ſhould properly be that Land or Ground, which being Conquered was affigned to the Court or Courtiers, wherein the Female Sex could not ſucceed, as unable by Arms to defend and ſecure it. *Lindebrogius* cites an old Gloſſary, wherein *Terra Salica* is explained by the *Teutonic* word *Selilant*, as the Ground or Soil belonging to the Court or the King's Houſe.

129. Others derive the word from the *Franci Salū* mentioned by *Ammianus Marcellinus*, who writes that Outcome called them *Salii*, who formerly took the boldness to fix their Habitations in the *Roman Pale* at *Toxiandria loci*, and when *Julian* was come to *Tungri*, he adds, that there it was, that their *Am bassadors* met him. Betwixt these Opinions there's no Repugnancy, they may both be true. This Law might be called *Salick* from the People; and the People called *Salii*, from the *Sal* or *Sala* lately mentioned. But this *Toxiandria loci* in the Judgement of several Learned Men, is that very Village in the lower *Lorraine*, which to this day is called *Telfanderlo*. For the People called *Tungri* in the fame *Tract*, and the River *Mosa* flowing along are most certain Notes of the Habitation of these *Franci Salii* in the time of *Julian*, betwixt the Rivers *Sceld* and *Mense*, wherein during the Reign of *Pharamond*, the *Law Salick* was Composed. These three Villages mentioned by *Segebert*, in the Opinion also of very judicious Persons are still remaining in the Country of *Brabant*, and now known by the Names of *Zelbeim*, *Boderbeim* and *Winderboven*. For the first *Zelbeim*, with a little Variation of Dialect in the *Teutonic* Tongue sounds no other than the Habitation of the *Salii*, over against which on the other side of the River *Tamera*, stands a *Salick* Village, called *zelgenk*: There lies also a Region betwixt *Herkam* and *Halen*, at this day called *Dracrick*, or the Kingdom of *France*; and beneath that the *Salick* Meadows, known by the Names of *Zeelbemen*, which manifestly prove those to have been the first Seats of the *Salick* Franks.

Sect. 4.
Vide Pontanum
in Orig. Franc.
L. 6. c. 17.

Leg. Alaman.
tit. 81.
Leg. Longobar.
tit. 3, 4.

*Petiiitque omnium
Primos Francos
quos Conseruado
Salios appellauit,
ausos olim in Ro-
mano solo apud
Toxiandriam-
locum habitacula
figere, lib. 19.*

Petrus Dineus
Rer. Brabant. l. 2.
Christoph. Bron-
wens Annal.
Trevirens. l. 4.
Nicolas Vigne-
sius Biblioth.
Tom. 1. p. 881.
Johannes, Jaco-
bis Chiffletius
Vindic. Hiss. c. 9.

Germani pro S
utuntur Z zel i-
taque pro Sel vel
Sal. Heim idem
cum nostro Ham,
quo terminantur
multa oppidorum
vocabula. Inde
Zabitatio Salierum

130. But *Julian* the Emperour himself writing of these *Franks*, which living at *Tioxandria* had made their Addreffes to him, call them a part of the *Salii*, which hints that another part of them inhabited elsewhere. Now that any which dwell beyond the *Rhine* were called *Salii*, appears not at all; therefore *Chiffierius* thinks, that those of the *Franks* which had passed that River, and now fixed on this side, were so named from the River *Salia*, which rising out of the Lake by him called *Lindrius Lacus* at the City of *Metz*, empties it self into the *Moselle*. Now that this River had its Name from *Sal* or *Salt*, *Fortunatus* tells us, where he Enumerates the Rivers of *Gallia Belgica*. *Chiffierius* adds, that this Etymology is founded upon very good Reasons. For not far from the River are the Salt Fountains of *Lorraine*, which Spring up at *Dieuxze*, *Marfal*, *Mogemic*, *Salome* and *Chasteau-salin*, at which places they boil the water into Salt: Neither is far distant, the Monastery of the *Salt Valley*, of the Order of *St. Norbert*. That greatest Contents of old happened betwixt the *Burgundians* and *Allemans*, the *Catti* and *Hermundari* about such Salt waters were assured by several Writers, as well out of a superstitious Conceit they had of such impregnated Waters, for the great Gain that arises out of such Traffick; and why might not they have the same Desires? why might not the same Endeavours be used by the *Franks*? But that from this *Salia* they were so named, this renders it still more probable, that in the parts of *Lorraine* several other People may be found, which took their Names from the adjoining Rivers: As from the River *Mouus* (by *Regino* called *Mogonus*) the *Mogoniaci* from *Rura*, the *Ribuarii*, in old French, *les Ruvers*, from *Ellisus* the *Eljatti*: From *Elaina* the *Elainonii*, and from the *Mosella* the *Mosellani*. Why then not as well from

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from *Salia* the *Salii*. To speak indifferently this is very probable, and *Papirius Massonus* was of this Opinion, that the *Salick Law* was so denominated from *Salia* the River of the *Mediomatrici*, as also *Hotoman*, that the People received this Appellation from the River.

131. From very many Instances and Examples, *Chiffletius* proves that in those Countries, lying within the Rivers, *Moselle*, *Meuse*, *Scelde* and *Somona*, or the *Somme*, the *Salick Law* was used and in Force for many Ages, amongst those who were first called *Salii*, then *Austratii*, and afterward *Lotharingi*. Upon the very same account, *Conrade* the second Emperour was long after called *Salicus*, because he was born in the *Salick Land*, in the Territories of *Wormes*, within the Borders of the Eastern *France*, or the ancient Kingdom of *Lorraine*. In like manner, *St. Norbert* born in the Countrey of *Cleeve*, in the Diocese of *Coleine*, is by *Hugo Comenacenensis*, his first Associate and Successor in the *Pramonstratensian* Monastery, said to be descended of the Illustrious Offspring of the *Franks*, and the *Salick Germans*, that is to say of the *Austrasians*, who were the Eastern *Franks*, called afterward *Lotharingi*, the Kings of whom were intitled, *Reges Orientalis Francie: Kings of Oriental France*. To these in the Opinion of *Cujacius*, truly and properly belonged the *Salick Law*, by Virtue whereof Males alone succeeded their Ancestours in their Inheritances. For so a branch of it runs: But of the *Salick Land* no Portion of the Inheritance passeth to a Woman, but this the Male Sex acquires; that is to say, Sons succeed in the Inheritance. This is that passage, whereupon has been raised such a noise in the World, and has cost two Neighbouring Nations, so much Blood and Treasure.

132. But *Cujacius* very well observes, and so doth *Hotoman* in his *Franco-gallia*, that in several Books are written the *Law Salick*, and the *Law of the Franks*: And that this belonged to those of the West, and that to the other of the East, or the *Austrasians*, and *Lotharingians* as they were afterwards called. *Chifflet* affirms, the *Salick Land* to be the Dukedom of the upper *Lorraine*, the right of Succession in it, by Virtue of the *Law* belonging to Males only, as also in the Dukedom of the lower *Lorraine*, till such time as by Indulgence of the Emperours, the Succession was also devolved upon the weak Sex. As by many Instances, he proves that the *Salick Law* belonged to the Eastern *Franks*, so by as many and more doth he shew, that it no way concerned the Kingdom of the Western, which at this day we call *France*. That sometimes the Kingdom was transferred to the Males, when there were Females remaining, viz. the Daughters of the late deceased Kings cannot be denied, as we have seen in the Case of *Guntram*, who though he left a Daughter called *Clotilde*, yet his Kingdom went not to her, but to his Brother *Sigebert*. So *Childebert* the third dying, the Crown came to his Brother *Clothair*, though he left two Daughters; and *Cherebert* the fifth being deceased, the Succession was devolved upon *Sigebert* his Brother, and his three Daughters were excluded. These Instances and Testimonies yet he over-rules by a far greater number on the other side, whereby he doubts not, but that he demonstrates that the *Law Salick* was never observed nor practised, there where some in later Ages for their own Interests, have so much pleaded and contended for it.

133. First, had any such *Law* been regarded as Sacred and Inviolable, it would have awed the *Franks* so much, that after the Death of *Clodio* they would not have passed by his Children, and transferred the Kingdom to *Meronianus* his Kinsman, probably descended of the Bloud Royal by the Female Sex. It would also have been a Bridle to them, against their rejecting of *Childerick*, and making choice of *Aegidius* the Roman Patrician, whose Mother or Wife probably was a *Frank*, because we find that his Son *Stagirus* possessed the City of *Soissons* by right of Inheritance. Had there been such a kind of Curb, a Reverence to such a *Law*, it would have been more effectually joyned at least with their Duty and Allegiance, than to suffer them to reject the Male Line of the *Meroningians*, and promote the Family of *Charles Martell*, which was defended of it by a Female, as we have formerly shewed, viz. by *Blithilde* the Daughter of King *Clothair*, Married to *Anbert* the Duke of *Austrasia*. The like Example we find in *Wido*, Duke of *Spoleum* who was chosen King, though he was descended from *Charles the Great*, by a Daughter only of *Pipin* the second; but for this very reason that he was a Kinsman by his Mother, of *Charles the Simple*. *Odo* Moreover obtained the Crown of *France*, for being descended from the said *Charles*, though by his Concubine, for which and no better a Reason, *Rodolph* the Kinsman of him and King *Robert*, thought himself worthy and capable of a Crown, which he put on his Head, and caused himself

In vita circa
Anno 1140.

De rebus
lib. 1. c. 6.

Separatim
lib. 1. c. 6.

lib. 1. c. 6.

lib. 1. c. 6.

lib. 1. c. 6.

lib. 1. c. 6.

lib. 1. c. 6.

lib. 1. c. 6.

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lib. 1. c. 6.

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self to be saluted King of *Burgundy*. The said *Robert* pretended to the Kingdom by the same Title and none other, as had done his Brother *Odo*, who as he affirmed, had Reigned by as good Right as had King *Pipin*. For the same reason was *Rodolphus* made King of *France*. Neither could *Hugh Capet* himself challenge the Crown by any better Title. All these were actually possessed of the Crown. Where was then the *Salick Law*, which the Modern *French* so much boast of, as firmly established, and sprung up together with the Kingdom, by which alone the Liberty and Dignity of the Name of *France* hath subsisted, as that which hath preserved it from being oppressed by the Empire, and Jurisdiction of Strangers.

134. From the Rights and Pretensions of others, it appears that this *Salick Law* was not in this point at all acknowledged in ancient times. *Henry the first* of that Name being dead, *Baldwin* surnamed *Pius* the Count of *Flanders*, who had married *Adela* his Sister, was made Protectour or Guardian to *Philip* his young Son on this Condition, that in Case the Child *Philip* should dye without Children, he should succeed to the Crown in Right of his Wife, the Aunt of his young *Philip*. Here Authours say, he should be King in Right of his Wife, and that the Nobility swore fealty to him, as the just Heir of the Kingdom, in Case *Philip* should dye without Issue. Now no Right can be against such a positive Law, and just and Legitimate flowing from Law it self; how could he be said to be King in Right of his Wife, of a just or Legitimate Heir, in Case of such an Illegality? In like manner, the Nobility after the death of *Lewis* the eighth, declining to be governed by *Blanche* his Wife, in the Minority of his Son *Lewis*, resolved to confer the Crown on *Enguerran* Lord of *Concy*, for no other Cause, than for that he was descended from the Loins of their Kings in a double Line; but in both by Women, as appeareth by his Pedigree to be seen in *Chifflet* his Book. The first time that ever the *Salick Law* was objected and made use of in this Case, was after the death of *Lewis Hutin*, who left his Wife *Clementia* Great with Child of a Son called *John*, that died the eighth day after he was born. He left a Daughter also named *Joanna*, begotten on *Margaret* the Daughter of *Robert Duke of Burgundy*, for whom her Uncle *Odo* Son of this *Robert*, challenged the Kingdom of *France* in Right both of her Father and Brother. But *Philip* surnamed the *Long*, took off this *Odo* by Marrying to him his own Daughter *Joanna*, and as *Du Hailan* observes, *Philip* having a Controversie, with a young Virgin destitute of Help and Succour, and having bribed the Nobility by great Promises easily had the better of her. Yet did her Aunt the Dutches of *Burgundy* protest against the promotion of *Philip* in Right of her Niece, neither would the Dukes of *Burgundy* and *Flanders*, though Peers of *France* be present at the Inauguration. *Odo* yet afterward as we said renounced the Right of his Niece, being taken off by a Marriage with *Joanna*, who brought with her the Inheritances of the other *Burgundy*, and *Artesia*; though had this *Salick Law* been known amongst the Western *Franks*, he would scarcely have asserted her Right at all. But now was it first cited and objected, almost nine whole Ages after it was first enacted in the *Salick Land*.

135. *Odo* the Duke of *Burgundy* gave up the Cudgels, as we said; as to the Right of his Niece; but when his own turn came, he was not willing to be so served. For *Philip* the *Long* being dead, he Challenged the Kingdom for *Joanna* his Wife, Daughter to the said *Philip*, and contended though in vain; he himself having helped to make a President, with *Charles* surnamed the *Fair*, the Brother of the King deceased. Not long after, *Charles* had the same fate as had his Brother to dye without issue Male, which Accident procured that famous Contest between the two Nations of *France* and *England*. Our King *Edward* the third, the Nephew of *Charles* by his Sister *Isabella*, justly contended that the Crown belonged to him, rather than to *Philip* of *Valois* the Cousin German of *Charles*, who laid claim to it. He affirmed, that though the pretended *Salick Law* were admitted; yet would the End and Design of it be accomplished in his Person, who though descended from the *French Kings* by his Mother, yet was a Man, and so fit to Govern; Women by it being excluded from the Inheritance, but not Men who derive their Pedigrees by Women. He produced the Example of *Pipin*, the Father of *Charles* the Great, urged those of *Odo* and *Robert*, and instanced in *Hugh Capet*; who were promoted for this very reason, that by their Mothers and Grandmothers, they drew their descent from the Kings of the *Franks*. His Right and Title to the Crown, to be better than that of *Philip* he shewed, in that he was the Grandson of *Philip* the *Fair*, begotten on his Daughter; and therefore it was fitter that he should succeed his Grandfather and his Uncle, than *Philip*, who deriving his de-

Vind. Gall.
cap. 16.

Verus Placidus
Christon apud
Chiffletum lib.
1. c. 9.

Et conditio ut
si infantem sine
hereditate mari
contingeret pra-
dicti Concedi
Baldwinus Fran-
corum Rex esset
ex parte uxoris
sua, &c.

Alind verus
Chron. M. S. Ma-
nasterii Sancti
Eustachii, in autem
omnis apud jo-
hannem Regem
per uxorem.

Christon ven-
apud conditio ut
procederet deo-
rum jam fuisse
Chiffletum Fran-
corum Regem
Regem Francie.

Postquam obla-
tum repugnavit
consensum accepit
et sic est ipse Le-
gitimus.

Je ne suis Roy
ne par droit de
sire, mais par
sire, sire de Con-
roy de France
Grand edux, ho-
ne attribuer
Rex fuit, olim
vero usurpavit
eodem fuit quo
vix Isidore Oj-
car, ex eo fuit loco
probat. Balcan.
A. D. 1316.

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eodem fuit quo
vix Isidore Oj-
car, ex eo fuit loco
probat. Balcan.
A. D. 1316.

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140. As for *Bretagne*, the Dukedom of it hath four times descended to Females, Males and Uncles being sometimes excluded. As to the two first *England* was concerned, and therefore we shall present the Reader with the Writers words. Concerning *Peter*, Surnamed *Mauclerc*, Brother of *Robert* the second Count of *Dreux*, it must be known that he married *Aleyda* Countess of *Bretagne*, whose Grandfather *Conan* Surnamed the *Groffe*, had one only Daughter *Constantia* by Name, which married to *Jeffrey* the Brother of *Richard* King of *England*, and brought him a Son Named *Arthur*, together with a Daughter *Elianoir* by Name: King *Richard* dying, the Kingdom was devolved upon *Jeffrey*, who deceased also before such time as he could receive the Homages of his Subjects. Therefore *John Lackland* his younger Brother seized on the Kingdom, procuring his Nephew *Arthur* afterward to be drowned, and detaining his Niece *Elianoir* in Captivity, out of which the never escaped. *Jeffrey* being Dead, the Countess *Constantia* married to *Almarick* Count of *Anjou*, who begat on her this *Aleyda*. She then possessed of the County married *Peter Mauclerc*, who had by her one Son and a Daughter. Thus we see how twice this Inheritance descended to Women. Another example we have in *Charles* the younger Son of the Count of *Blou*, who marrying *Claudia* the Niece of *John* the Duke of *Bretagne* by his Brother, in Right of his Wife assumed the Title of Duke, though *John* the last of the Brothers of the deceased Duke contradicted it, denying that this Country could in Equity fall back to the manly Sex. This *John* was in Right of his Mother Count of *Montfort*, whence arose a most sharp War, King *Philip* assisting *Charles* his Sisters Son, and the *English* *Montfort*. *Froissart* affirms, that by the Judgment of the Peers of *France*, *Blou* was preferred before *Montfort*, because *Claudia* was nearest akin to the deceased Duke. He had the better therefore upon his Wives account, and in her Right, by Virtue of which he had also received the Vicountyship of *Limesin*. As for *Anne* the Daughter of *Francis* Duke of *Bretagne*, later Writers Consent that she was not only the Legitimate Heir of her Father, but would never permit the Kings her Husbands to dispose of her Duchy. And for *Claudia* her Daughter, she was rightly enough betrothed to *Charles* of *Austria*, but was married to *Francis* of *Valois*, left to goodly an Inheritance should fall into the hands of Strangers.

141. Farther the County of *Champagne*, as Pope *Honorius* the third decided the Question of Right, appertained to the Queen of *Cyprus*, which was *Aleyda* the eldest Daughter of *Henry* the second, Count of this Province, married to *Hugh Lusignan* King of that Island. Her Cousin *Theobald* by strength of Arms carried it from her. But the matter succeeded better in behalf of the Women in the Reign of *Philip* the Fair, to whom this County fell in the Right, and upon the account of his Wife *Joan*. The like might be demonstrated concerning the ancient Counties of *Cressy* or *Valois*, of *Burjur*, *Aube* and *Fernandois*, of the County of *Provence*, of *Flandres*, which fell to *Philip* the Bald, in Right of his Wife, as also afterward to *Maximilian*, the Husband of *Mary* of *Burgundy*. It would be too tedious to expatiate upon the County of *Arthois*, passed to a Daughter by decree of the Parliament of *Paris*, notwithstanding the endeavours of the dead Brothers Sons, viz. to *Margaret* Countess of *Burgundy* and *Artois*, who was as a Peer present at the Inauguration of *Charles* the fifth at *Paris*, putting her hand to the Crown, as the rest did while the Archbishop prayed for the King. In like manner, it was easy to enlarge upon the Counties of *Nevers*, *Auxerre*, and *Tonnerre*, the Duchies of *Rehbel*, *Montpensier*, *Toulouse*, *Joyeuse*, *Aumale*, *Mayenne* and *Aiguillon*, very lately in the hands of Women. The County of *Mescomois*, to which the Privilege of Peerage is annexed, was bought by *St. Lewis* of *Aleyda*, the Widow of *John* Earl of *Dreux*. *Helia*, the Sister of *Robert*, gave the Duchy of *Alençon* to *Philip Augustus*. *Albret* fell also in the last Age to *Joan* the Wife of *Antony* of *Bourbon*, and Mother to *Henry* the fourth. Now by these Instances, to mention no more, let the impartial Reader judge whether *Cassianus* hath reason to write that by the *Law Salick*, not only all access to the whole Crown is barred by Women, but even to parts of the Crown also, as Dukedoms, Counties and other Fees, because they are of the same Nature with the stock, from which they proceed. Of the same Nature they are indeed, but what this Nature is this Discourse hath made very evident.

142. But the Reader must know, that they which are for this Succession cannot agree amongst themselves, some affirming, that the *Law Salick* only concerns the Crown, others the Crown, and the other *Penda* or *Fees* we have lately mentioned, and others that it neither concerns the Crown, nor any *Fees* neither, but the Exclusion of Females they lay upon an Inviolable Custom, which hath the form of Law,

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as both *Hotoman*, whose Foundation how weak it is, we may perceive by these Examples he never sufficiently considered. It's not in vain to take notice of what *Chifflet* presses upon us, that by the Ambiguity of the Word *France*, the Modern *French* have endeavoured to impose upon the World in this particular. For there being three several Countries which have born this Name, the one beyond the *Rhine*, called by *St. Jerome* the Region of the *Franks*, and by others *Austrasia*, *Francia*, the Habitation of the *Aufnarri*, and two more on this side that River, the one Oriental, the Inhabitants whereof were the *Salii* called *Austrasii*, *Aufnarri*, *Francia Orientalis*, *Lotharingia*, and *Media*, *Pars Francie*; and the other Occidental, *Nova*, *Latina*, *Romana* and *Neufria*, the Inhabitants whereof were called *Franci*, from the *Bastard Roman* Tongue, the Modern *French* Writers have applied to themselves or the Western *Franks* indistinctly whatever was written concerning the other; making the inconsiderate World believe the new Kingdom was the very same with the old. An advantage and Incongruence to this, they had from the following Accident, that the Name of *France* only remained with the Western or their Country, where it had fixed before the days of *Sigebert*; whereas in the days of *Charles* the Great, under the Name of the Kingdom of the *Franks*, besides the three *Franks* lately mentioned, all *Germany* was included. But as the *Franks* were *Germans* Originally, so their Tongue prevailing against the *Bastard Latine* abolished the Name of *Franks* in the two Countries first mentioned, and in the Occidental *France*, the *Bastard Latine* being adopted into the Name of *French* carried away that Name, and blinded those that were not well skilled in Antiquity, as if that had been the only true *French* Tongue, and such as spake it were *French* alone. But most true is that saying of *Paulus Aemilius*, that the *Germans* may with more Right Challenge the Glory of the ancient Kings, Dukes and Emperours of the *Franks* to themselves as descended from them, for the Oriental *Franks* are still amongst them, and the Occidental or Western, are only their Progeny.

143. From all that has been said upon this Argument, whether or no we have reason to be of the same Opinion with *Du Hailan*, their own Historiographer, a Counsellour or Secretary to King *Henry* the third, let the Modern *French* be Judges. Concerning the *Law Salick* he hath this Expression, that it was attributed to *Pharamond* by those who, that they might make themselves Kings, desired to found their Right of Convenience upon a very ancient Law, by this Antiquity to give it more Lustre and Authority. He demands, why *Pharamond* should be thought to have made this Law for this Modern Crown of *France*, who never entered *Gaul* which now bears that Name, to which he neither had Right, nor the least pretension, never passed the *Rhine*, but always contained himself in his Province of *Franconia*. By that Article of Succession, so far is it, that any thing should be meant of the Succession of Kingdoms; that it speaks not of *Fests*, but only of those Tenures they call *Allodia*. In another place, he tells his Reader plainly, that the more severe Censurers of their History, affirm that the *Law Salick* was not framed by *Pharamond*, but invented by *Philip* the Long, to deprive his Niece the Daughter of *Lewis* *Hatin* of the Inheritance of the Kingdom, which to obtain he must strengthen that his Act by the precept and Observation of some Law or other. Nay he says plainly, that although this Law be one of the bravest that ever was made in any Kingdom, yet it hath no power in *France*, but by Force or strong hand, on which most Laws in all Dominions are founded. Of the same Opinion was *Scipio Dupleix* one of his Successors, both in the place of Counsellour and Historiographer, a Man who by his Writings and Collections, hath very well deserved of that Nation. He counts it gross Ignorance in those that imagine the *Salick* Law was made in favour of Males, to exclude the Females from the Succession to the Crown, forasmuch as in the whole Book there is not one Law, nor Title, nor Article which makes mention of it, as neither of any Right of the Kingdom or Dominion of it; but only of the Rights of Subjects, and Punishments ordained for Crimes: Nay the Prologue most manifestly declares, that these Laws were made for no other purpose, than to provide for the Government of Subjects, their Peace and quiet.

144. That there was such a Law as the *Law Salick*, before *Philip* the Long, we must confess, but that this Law concerned any place, but *Austrasia* or the Eastern *Franks*, we may with good reason utterly deny, as that it any way respected the Crown, or had any thing to do with the Succession. As for *Chiffletius* he makes this use of all that has been said: This Western or Modern *French* use this *Salick* Law like a Ball, they strike it out of the Tennis Court, and again bring it in as they

SECT. 4.

they please, to delude Posterity. For the first nine Ages after it was made, they never took notice of it (in this Sense he means) in the fourteenth Age, they defended it Tooth and Nail against *Edward* the third, King of *England*: Again in the fifteenth they forgot the same Law, in favour of the two *Henries* the fifth and sixth Kings also of *England*: In the sixteenth *Francis* the first renounced it's Decrees and Abdications, by the Treaties of *Madrid*, *Cambray* and *Crespi*, which Renunciation of his, afterward *Henry* the second tacitely confirmed by another Treaty at *Cambray*, and *Henry* the fourth by that of *Vernin*. Then presently again, though thus over and over rejected, they reduce it into Play again, giving it the Epithetes of *Eternal* and *Immutable*, though it doth not at all concern them, but as *Du Hailan* wittily saith, is made use of by force and violence. Then follows something, where-with we shall not meddle as unconcerned in either of the Parties, whether *French* or *Spanish*. Thus tedious, we have been to give the Reader satisfaction concerning that Law, which has made such a noise in the World, and about which our Forefathers spent so much Bloud and Treasure.

Artic. 5.
Artic. 15.
Artic. 22.
Artic. 1.
Artic. 1.

Other Laws in
use amongst the
Franks.

145. The Law *Salick* consists of seventy and one Chapters. To it are added the Agreement or Treaty of Peace, betwixt the Kings *Childebert* and *Clothair*, as also an Edict or Decree of *Clothair*, together with certain *Capitula* or Chapters of *Charles* and *Lodowick* Emperours. There were other Laws of the *Alemanni*, *Bajoarii* *Alas Bajuarii* and *Ripuarii*, composed by order of *Theoderick* King of the *Franks*. What was wanting in the Laws of the *Franks*, *Alemanni* and *Bajoarii* he added, what was amiss or favoured of Heathenism, he repealed, and what he by reason of the long rivited Use and Custom, could not amend, afterward *Childebert* attempted, and *Clothair* fully performed. All these King *Dagobert* by assistance of the illustrious men *Clavadius*, *Judomagus* and *Agilulfus* revised, renewed, put into better Form, and delivered in Writing to every Nation. Of the Laws of the *Ripuarii*, here is not any mention, but Learned men believe them to be of the same Original. These *Ripuarii* or *Ribuarii* (not *Riparii*) inhabited the Region *Riparia* lying upon the River *Rura*, whence the City of *Ruremund* took its Name, which flows betwixt the *Meuse* and the *Rhine*. That they took their Name à *Ripa*, from the Banks of the Rivers, some have been of Opinion; but then they should have been rather called *Riparii*, which they never are in ancient Authours, and whereas the first Syllable in *Ripa* is long, and also in *Riparia*, in the Word *Riparia* we read it short. Of these Laws of the *Ripuarii* are extant, eighty nine Chapters. There are other Laws or *Capitula*, of *Charles* the Great, and other Christian Princes collected by *Ansgisus* the Abbat, and *Benedictus Levita* in seven Books, certain new *Capitula* of *Clothair*, and *Charles* the Bald being added. All these Laws first by *Tiliv*, and then by *Francus* and *Peter Pitbon*, being published apart were afterward Collected into one Body, together with the Laws of the *Wifigoths*, *Burgundians*, *Saxons*, *Lombards*, *Angli* and *Werini* and other Nations, by *Frederick Lindebrogius*, and are now every where extant.

hic collat ex
Fradar in
Chron. ad A. D.
923. et Regis
ad Ann. 970.
81.

Leges Gylfar-Lind-
delmgi.
Alodia Germa-
nica vocata sit
dicitur quod femi-
lie velut Con-
munita sine et
conspicua hoc est
insuperabilis à
familia: Ein
Anla.
Id flagitium Hei-
dila appellatur.
Hic enim sine
Heir est excre-
tus, et Caffen de-
jore.

Their counting
of time.

Allodium what.

Their punish-
ments of
Crimes.

146. Amongst them all this is observable, that what *Tacitus* tells us of the ancient *Germani*, counting the time not by Days but by Nights, as our *Saxon* Ancestours used, and we at this day say Seven-night and a Fortnight, not a seventh day and a Fourteenth day, is by these ancient Writers practised. The same was in use in the time of *Charles* the Great, as appears by his Capitulary; where the Reader meets with the word *Allodium*, he must by it understand an Inheritance, which a Man might give or sell away as his own. In the punishment of Crimes they followed the same Course as our *Saxon* Ancestours, not to punish a Man with Death for Theft, and other Faults as at this day practised. To forsake the Prince or run away from their Colours, was reckoned amongst Capital offences, which were Crimes most infamous amongst the *Germani*, in the days of *Tacitus*. The Nation of the *Germani* being known to be given to drink, it was severely prohibited that none should invite their Fellow Souldier, or other to that diversion: If any were found Drunk, he was to drink Water till he acknowledged his Fault. Dice were likewise prohibited, Familiarity used also by the old *Germani*. Beggars there were none suffered, each Town being to maintain their Poor, or set them on work. Schools in all Cities were opened for Instruction of Youth. Usury was unlawful as in the times whereof *Tacitus* wrote. Adultery was punished both by Gelding and Whipping. The ancient *Franks* used, the way of Tryal by cold and hot Water, and by Red hot Irons, as did the English *Saxons* and the *Danes*, a Custom of old much impugned by Religious men. They were wont also to decide their Controversies by Duells, as *Agathias* informs us; amongst the *Lombards*, Nobles-

men

men used this way, and Slaves hot Water to purge their Innocency. Such were the Laws of the *Franks* in General, besides which we must not omit to tell the Reader, that the Law of *Fefs* or *Fees* in these times whereof we Write, seem to have been introduced, if not settled and perfectly formed amongst them, for we read in *Gregory Turonensis* and *Aimoinus*, of Grounds assigned to Dukes and Great men, and the later expressly writes, that *Clodoveus* did deliver a place called *Milidunum Castrum* to one *Aurelian*, together with the Dukedom of the whole Region *Jure Beneficii*. Hence hear we so often of the *Leodes* or *Ludes*, which the Age following called *Vassi*, and thence *Vassals* came to be so named. Some contend, that from these our *Franks* the Tenures of *Fees* received their first Rise and Original; but this is a Paradox, and the General apprehension being that they came from the *Lombards*, concerning both the Original and Nature of these *Fees*, the Reader is to look for Satisfaction out of that part of our History, which respects *Italy* and the Kingdom of that People, we have dwelt too long upon this Subject; but that great part which this Nation hath acted, and still continues to act upon the Stage of the World, may excuse us: And here we dismiss the History of the *Franks* for this Period.

SECT. 1.

Lib. 4. c. 39.
Lib. 9. c. 14.

Alteffer in libro
est Titulus Ori-
gine Frandum
pro nobis Gal-
lie.

CHAP. II.

The Dominion of the Visigoths in Spain and Gall, Contemporary with the Constantinopolitan Roman Empire.

SECT. I.

From the beginning of this Dominion to the Death of King Eurick.

The space of fifty seven Tears.

1. THE Roman Provinces every where being wasted, and the Empire going to Ruine, as we formerly shewed, on all sides and Quarters, one *Marcus* was by the legionary Souldiers saluted Emperour here in *Britain*, and presently again by the same light Humour removed out of the way, *Gratian* being substituted in his Room, who was also slain within four Months after his Election, and *Constantine* advanced to the Purple. *Constantine* being in much Favour with the People, rather for a *Vile Orisum*, Fancy and Inclination they had to his Name, than that his Actions much deserved, a great part of *Gall* and also of *Spain* was at his Devotion; the minds of the Provincials being much of late exasperated, by the heavy and daily increasing Tributes and Impositions laid upon them by the Emperours. In *Spain* yet there were two Kingmen of *Honorius*, by Name *Didymus* and *Perinianus*, who adhered to their Allegiance, and gathering together an Army consufled, and as they could prepared to give stop to *Constantine*, who was reported to have a Design to pass the *Pyreneans* out of *Gall*, but were by his Son *Constans* defeated and slain. The Army of this *Constans* consisted for the most part of those Nations, which having broken out of *Germany* into *Gall*, from the League and Agreement they had made with *Honorius*, were called *Honoriani*. By permission of *Constans*, they over-ran and spoiled *Spain*, as far as to *Palentia*, and when he returned back to his Father, were appointed to Watch and Guard the *Strait* of the Mountains, to the great Indignation of the *Spaniards*, who Grudged exceedingly that Strangers should be thus trusted before themselves, whose Fidelity to the *Roman* Name and Interest, was sufficiently known, and from inward Grudges they proceeded to contumelious Words and to Threats, that *Spain* would shortly provide it self of new Masters.

2. But new Masters were shortly provided to their hands. For the *Honoriani* we lately mentioned, whom Nature it self obliged to be kind and Friendly to the

Vandals,

Seçt. 1. mans, that according to Agreement, he had put the Places Conquered by him into their hands, and therefore in *Spain*, where the *Suevi* now carried all before them, the Dominion of the *Goths* was included within narrow bounds, where now inhabit the *Catalauni*. But in *Gall* he became very formidable, taking now more delight to enlarge his Territories on this side the *Alps*, where breaking the League with the *Romans*, he laid siege to *Arles*, one of the most noble Cities of the Countrey, which with all industry and resolution he attacked, but was by *Aetius* the Patritian forced to raise up and withdraw his Army. After this he attempted *Narbon* but with the same success, *Aetius* still attending his motions and frustrating his designs. He had better success against *Littorius*, a Roman Captain, who taking to his assistance the *Hunns*, with all Animosity made War upon the *Goths*. As he passed through the Countrey of the *Arverni*, *Aetius* met him, put his Forces to flight, and killed an Hunnish Trooper in a Duell, as *Sidonius* tells at large in the Panegyrick he wrote to him. By this Defeat *Littorius* was not discouraged, but consulting the Aruspices, he ventured to give Battel to *Theodorick* at *Tolouse*, and that with such Courage and Conduct, that he slew a great number of the Enemy, and the Victory had been uncertain, but that being taken Prisoner, he reaped the due Fruits of his Credulity and Superstition. So write with one consent *Prosper*, *Aquitanus*, *Idacius*, *Isidore*, *Sigebert*, and *Rodericus Toletanus*. Onely *Jornandes* relates that they came off on equal terms, and the Controverfie was taken up by agreement, making no mention of the Cafe of *Littorius*, which considering he was a *Goth*, and a Friend to such, is very strange.

7. It appears from *Salvian* that *Theodorick* before the Battel had used all means for a Reconciliation, having sent several Bishops to *Littorius* to persuade him, and bring him unto terms. Moved now by the same Reasons, he made use of his late Victory to obtain an Honourable Peace, which was immediately clapt up betwixt the *Goths* and the *Romans*. This Peace was prudently concluded for the benefit and advantage of the *Goths*, though this their Society with the *Romans*, proved fatal to their King himself. Within three or four years *Attila* with an innumerable multitude of *Hunns* breaks into *Gall*, where he takes and burns the Towns, spoils the Countrey, and kills the Bishops as well as other Lay-Persons at his pleasure. *Aetius* hereupon is by *Valentinian* dispatched on an Embassy to *Theodorick* to lay open the common danger, wherein all those that had any shares in *Gall* were involved. *Anianus* the Bishop of *Orleans*, being besieged in his City, betakes himself to him, and to *Aetius*, desiring that by a speedy succour they would prevent the ruine of the place. *Theodorick* then leaving four of his Sons at home, viz. *Fredrick*, *Turick*, *Rotemir* and *Himmerir*, takes his two eldest *Thorismund* and *Theodorick* along with him, and joins his Forces with those of *Aetius*, and *Meroneus* King of the *Franks*. *Attila* is obliged to raise his Siege, and into the *Catalaunian* Fields they all draw off to dispute the Quarrel, where, as we have already hinted, *Theodorick* was wounded with a Dart, and falling from his Horse, was by the strokes of his Heels dispatched, after he had Reigned two and twenty years, leaving behind him fix Vigorous and Courageous Sons, besides two Daughters, one Married to *Himmerick* the Son of *Generick*, King of the *Vandals*, who out of jealousy that he had a design to poison him, cut off her Nose, and sent her thus deformed back to her Father, as *Jornandes* tells us. Another Married into *Spain*, to *Recciaricus* King of the *Suevi*.

8. *Theodorick* being slain, *Thorismund* his Son was by *Aetius* craftily diverted from pursuing the War against the *Hunns*, whom he desired not to have utterly overthrown, but to keep them as a Balance and Check upon the *Goths* and *Franks*. By his advice he halted to *Tolouse*, left his Brother should attempt any thing contrary to his Interest, and there by universal consent was received as King. Being impatient of rest, or out of disdain that by *Aetius* he had been diverted from revenging his Father's death, he broke the League made with the *Romans*, and laid siege to *Arles*, but by the persuasion of *Ferreolus*, the Governour, was so wrought upon, that he broke up his Camp and departed; which passage *Sidonius* mentions in an Epistle to the Governour, using this expression, That he removed this most fierce King from the Gates of *Arles*, by a Dinner, whom *Aetius* could not have stirred with an Army. From the same *Sidonius* we may learn that at this time the Dominions of the *Goths* reached as far as the River *Rhodanus*, the Gulf of which he calls this *Thorismund*, who shortly after had an occasion offered him of shewing the Zeal he had for the revenging his Father's Death. *Attila* on a fresh invaded *Gall*, and by *Aetius* his permission marched against the *Alans*, who had seated themselves beyond

Gregory Turonensis Theodorus, Idacius Theodorus, Prosper, Idacius, Sidonius.

Theodorick, Populus patre con- traxit Theodorus inquit Cassiodorus, Gregorius Turonensis Theodorus, Idacius, Sidonius.

De Generick, p.

Fredrick, Rich in Peace, Turick, Durable, Rotemir, Prince of Quere, Himmerir, Having Domestick Hosts, Him, Home, Rotemir, Equitatus, Theodorus Rector a Rider, and a Knight in Dutch. Our Rider not much altered from it.

Thorismund, Re- ceit, Him, Sidonius, Mouth, Scam- ciphin, Edmunda, Peace of the Mouth, Jornandes c. 41.

Ep. 12. lib. 7.

beyond the *Loire*. *Thorismund* perceived the weight of the War would fall at length upon himself, and therefore took the best Courte to begin it, and drive it off, before it should come to his own Doors, which he did so effectually, that he drove it not only from his own Doors, but from *Gall* it self, obliging *Attila* to quit the Countrey.

9. This success he had abroad, made him Cruel and Tyrannical at home, as by some Authors he is represented, and that to such a Degree, that his Brothers and Subjects could not bear him. Being fallen into a Distemper, and for that Let-bloud, he was slain in his Chamber by some, that the Conspirators had periwaded to the Treason; but to the Murthers he sold his Life at a dear rate (as our *Richard* the second is said to have done) dispatching some of them in the Conflict with a Footstool, or rather with his * Penknife. *Isidore* tells us, that he Reigned one year, and carrying himself insolently, was slain by his Brothers *Theodorick* and *Fredrick*. Thus happens it, that when a Man is slain, whether Murthered or in a Duel, to preserve the Life and Fame of the Living, the dead is usually killed over again in his Reputation: However *Thorismund* might in some Respects be to blame, we are informed by *Gregory Turonensis*, that the *Goths* having not yet shaken off Barbarism, had this detestable * Custome, that if any of their Kings displeased them, they made no difficulty to kill him, and appoint whom they pleased to succeed him. Therefore did the Fathers in several Councils assembled at *Toledo* by many Canons, provide for the security of those Kings that Reigned over them, as by their Christian Duty and Allegiance, they were obliged. *Isidore* to the Government of *Thorismund*, gives but a Year. Others say he died in the third Year of his Reign, and there are that lengthen it to the sixth, though with much less probability.

10. To *Thorismund* thus murdered succeeded *Theodorick* the second, his Brother, a Prince whose Morals were stained by his Brother's blood, and his Religion with the *Arian Heresie*, but otherwise of excellent Accomplishments both of Mind and Body, if we give Credit to an elegant Epistle of *Sidonius*. He had a Wife called *Ragnachild*, for whose use in bathing *Eudodis* procured a silver Vessel to be made, and *Sidonius* some ingenious Verses to be engraven on it, which he left written amongst his Epistles; whence some Conjecture, that this is the which is meant by la Reine Pedanque, which the vulgar of *Tolouse* have so often in their Mouths, as mightily delighted with Baths and Water. Nor long after the Succession of *Theodorick* was *Valentinian* the Emperour murdered, and *Maximus* invaded the Purple and Government, who made *Aetius* formerly mentioned, an *Arvernian* by Birth, his *Magister Militum*. At this time *Aetius* was Ambassador at *Theodorick* his Court about making a strict League and Alliance, who used such Arguments, and gave him such Encouragement, that he assumed the Title of Emperour at *Tolouse*; afterward was both by *Goths* and *Romans*, saluted *Augustus* at *Arles*, or rather at a Castle called *Ugernum* near to that City, which done, he went to *Rome* and was kindly received. In Consideration of the assistance afforded him at this time by *Theodorick*, he gave him Liberty to enter *Aquitain*, which he did with a very great Army, and there demeaned himself, as he himself pleased. But the Gratitude of *Aetius* was not confined within the Bounds of *Gall*, but reached to *Spain* also; where he granted to the *Goths* whatever Territories could be recovered out of the hands of the *Suevi*. After the departure of the *Vandals* into *Africk*, the power of this People became very terrible under the Conduct of *Hermenerick* their King, who dying at length of a tedious Disease, was succeeded by his Son *Rechia*, a Young man of extraordinary Courage and Activity.

11. Treading his Father's steps, he conceived the like hopes of bringing whole *Spain* to his obedience. *Andebolus*, who was sent by the Emperour to secure his Interest in the Countrey, he overthrew and killed at the River *Singiliu*. Having by this Victory got much Riches, he fell upon and subdued all *Baetica*, having defeated the *Silingi*, and got the City *Hispalis* or *Sevil*, which had at this time been much distressed, and weakened by the Wars. Thence turned he his Victorious Arms upon *Lusitania* where he took the City *Emerita* and destroyed quite the small remainders of the *Alans*, a great Advantage being given to the Increase of his Power by the departure of *Sebastian* the most valiant Roman General; who going into *Africk*, was there slain by the *Vandals*. *Rechia* that he might take off the Emperour and keep him quiet till such time as he had dispatched his other business, put into his hands *Carpentania* and the Province of *Carthage* or *Carthagina*, which he had lately Conquered, according to Agreement; then not long after was taken off in the middle of his Carriere, dying at *Emerita* a Pagan, as we have

Sect. 1.

Marries his Daughter to Reccarius King of the Suevi.

it from St. *Isidore*, after he had Reigned about eight Years. His Son *Reccarius* succeeded him, the first Christian King of this Nation, who having obtained in Marriage the Daughter of *Theodorick*, or *Theodorick* King of the *Goths* was thereby much elevated in his Hopes and Expectations. Some have delivered it for a Truth, that he was present at the Battle fought with *Attila*, following therein the Example of his Father-in-Law. It's certain that he fell upon the *Falcons*, who lived under the Roman Obedience in that part of *Spain*, where now *Navarre* is situated, and afterward going to visit *Theodorick* procured from him such assistance, that invading the *Tarraconensian* Province subject to the *Romans*, he took the City *Cesar Augusta*; he harassed the Province of *Carthage*, which his Father had resigned to the Emperour, and afterward returned home being Master of *Betia*, *Lusitania* and *Galacia*, and aspiring to the Dominion of the other parts of *Spain*.

12. But as the Alliance of *Theodorick*, gave him opportunity and advantage to raise such Hopes of Dominion, and Sovereignty to himself, so by a Change of Fortune came they to be blasted and overturned by *Theodorick* his means, not the Father but the Son, one who would not account himself obliged to stand to the same Terms of the Alliance. *Avitus*, as we said, had for the Assistance afforded him in obtaining the Imperial Dignity, passed over to him, whatsoever of *Spain* could be recovered from the *Suevi*. He resolved no link of Marriage or Alliance should divert his Inclinations to enlarge his Dominion; but some specious pretext must be found for making a War. Considering the Temper of *Reccarius*, he takes this Course. "He admonishes him by a solemn Embassy, not to transcend the bounds of Modesty, not by injuring and oppressing his Neighbours, to provoke the Indignation and Hatred of other Nations. He tells him, that Kingdoms and Empires are best founded upon Equity and Justice, that by Ambition and Cruelty they fall and dwindle to nothing, and in Conclusion, that if he did not desist from offering violence to the Subjects of the Roman Empire, he must not be wanting to that Duty which he ought it, being so exceedingly obliged by those great and many Favours he had received from those which now fate at the Helm thereof.

13. The Device took according to his Wishes, for *Reccarius* received the Message with great Stomach and scorn, returning for Answer, "that shortly he would be at *Tolouse* and make Tryal whether the Nation of the *Goths*, or that of the *Suevi* was more valiant, and decide the whole matter by dint of Sword. *Theodorick* hearing this resolved to prevent him, and joining to his own Forces the Auxiliaries of the *Burgundians* and *Franks* passed the *Pyreneans*. He marched on to the River *Orbicus*, which flows by the City *Hiberia* and *Asturica*, twelve miles from which in the Borders of *Gallicia*, he gave Battle to *Reccarius*, whom after a vast slaughter made of his Men, he compelled to run for his Life, and not daring to trust to any place in *Spain*, to take Ship for *Africa*. The winds were so contrary, and his approaching Fate so pressing, that he was driven into the Port of *Cale*, where the River *Durins* falls into the Ocean (called by Writers the City *Portugal*, or *Portugal*) and there being taken, was put to Death by Command of *Theodorick*. The Conquerour after this Victory took the City *Bracara* supplied by some to have been the royal Seat of the *Suevi*: He subdued all *Gallicia*, and extending his Victorious Arms into *Lusitania* departed back into *Gall*, leaving one *Aclulph* Governor of his new Conquests in *Gallicia*, who being no *Goth* (as *Jornandes* is concerned to tell us) but descended of the Blood of the *Warni*, and so neither regarding Faith, nor Liberty, presently began to usurp and set up for himself, drawing the *Suevi* into the Conspiracy. *Theodorick* was now sufficiently buffed in *Gall*, where falling out with *Majorianus* the Successor of his Friend *Avitus*, he waited the Roman Territories as far as the *Rhose*, and taking the City of *Lyons* plundered and much defaced it with Fire. But he sent two Captains *Neptorianus* and *Nericius* into *Gallicia*, against the Usurper, having ordered *Ceurila* into the Province of *Betia*.

14. To *Ceurila*, who on a sudden, and when they least imagined such a thing fell upon them, the Inhabitants of *Betia* presently sent Messengers giving up themselves to the Dominion and Authority of the *Goths*. They deny that they had consented to the Practices of the rest of the *Suevi*, that they had conspired against the *Romans*; they offer to give Hostages and assist with Provisions the *Gothick* Army. So was *Betia* reduced without any Effusion of Blood, while in *Gallicia* there was much opposition: But at length *Aclulph* was defeated in Battle, and being taken was put to Death. The *Suevi* thought now it was high time to ask pardon, which they procured by the Intercession of certain Religious Persons, and

He beats Reccarius out of Spain.

Subdues Gallicia.

The Governor thereof revolts.

But at length is subdued by Theodorick the third.

Ex Jornand. 67
Jules qui tunc
fuge Maritima
non meminit.
Ad locum Portu-
m captem, all
que verba in
marginis apponit
Gravus: Porum
Cale.
Atque tunc tunc
Regem postea at-
tribuit. Sed
de hoc alii aliter,
derivum enim
Portugallia no-
men a Portu
Galicia.

Agilulph, Sili
Auxiliarius.

Sect. 1.

Vide Joan. Vo-
franta now again, it's uncertain how, reduced to the obedience of the *Romans*: *Joan* Hist. Chron.
ad Ann. 458,
460.

and not only that but which was something strange, Licence and Authority to make choice of a King or *Regulus* to govern the remainders of their Nation. Coming to the Election they could not agree amongst themselves. Some chose *Franta*, for their Prince, but another Faction would have *Mafdra* or *Maldra*. But within two years or thereabout *Mafdra* was slain by his own People, and had for Successor *Remismund* (some call him *Rechimund*) his Son, who entering into League with *Franta* (yet some say *Franta* died before *Mafdra*) with joyned Forces invaded *Lusitania* now again, it's uncertain how, reduced to the obedience of the *Romans*: *Joan* Hist. Chron. ad Ann. 458, 460.

15. He now contemplated the Power of the *Romans* in *Spain*, but that of the *Goths* he dreaded from late experience. He sent to *Theodorick*, desiring to enter into a strict Alliance with him, professing all Friendship and observance, as a tie and Link of which he desired his Daughter in Marriage. *Theodorick* shewed no Aversion to a Compliance, but sent him his Daughter under Conduct of *Salanus* one of the chief of his Nobility, who at his return found the Affairs of the *Goths*, in a quite different posture from what they were at his departure: *Theodorick* having taken advantage at the Stirs and Disturbances, which were ever and anon arising amongst the *Romans*, whose Power was now almost dwindled to nothing in the West, reduced *Marbon* under his obedience, having by great Promises prevailed with *Ravenius* the Governour to yield it up. But as his matters prospered in this manner, his Dominions being enlarged in *Gall*, and the greatest Potentates in *Spain*, Is etiam nomine
varian Scriptu-
res Jornand. 67
Hidaro Euricus,
Sigibero &
adit Euricus,
Sidano & Gre-
gerio Tarracensi
Euric. Ewa-
ricus, Legibus
pollet.

Theodorick the third Marries his Daughter to Remismund King of the Suevi.

Takes Marbon from the Romans.

He is murdered by Euricus who Brother who succeeds.

Spain under a thirdfold Government.

Eurick King of the Goths drives the Romans quite out of Spain.

16. *Spain* was at this time cantioned under three several Nations. *Gallicia* with part of *Lusitania* obeyed the *Suevi*. *Betia* and the *Catalanni* were subject already to the *Goths*; and the *Carthaginian* Tract with the *Carpetani*, and almost all the rest of *Spain* continued still in obedience to the *Romans*. *Eurick* having first made an Alliance with *Leo* the Emperour, who Reigned in the East, with a great Power of his *Goths* invaded the farther *Spain*, where he over-ran *Lusitania* without any considerable opposition, by his Lieutenants took *Pompelona* and *Cesar Augusta*, then in the hands of the *Romans*, and in his retreat after a long Siege subdued the City *Tarracon*, which he levelled with the Ground. So were the *Romans* driven quite out of *Spain*, and their Empire there utterly overturned and removed after well nigh seven hundred years Continuance, all this Country now remaining to the *Goths*, except *Gallicia* which as yet acknowledged the *Suevi* for Lords. *Eurick* his Appetite was the more whetted by this Success, and having done so much in *Spain*, was unquiet to think that his Neighbours in *Gall* should not at all feel and acknowledge the effects of his Valour, but the facility of the Enterprize added to his Impatience, the Western parts of the *Roman* Empire being now all full of Confusion, while each barbarous Nation caught what it could, and being intent upon what it had fixed its Eyes, neglected what lay at a farther distance. The *Roman* power now expiring, *Aroandus* and *Seronatus*, who commanded the Forces in *Gall*, understanding his strength, to carry Favour with him, invited him to seize on the adjoining Provinces, while he might so easily accomplish what he should but undertake. The Treason of these two Ministers was discovered and punished; that of *Seronatus* by Death, and that of *Aroandus* by exile, as it had deserved; but a greater Instrument was now also at work, which moved with far more Interest and Success.

17. This was *Genferick* the *Vandal* King in *Africa*, who, that he might keep what he had got in that Country endeavoured to make work enough for the *Romans* on this side of the Sea. He propounded great matters, not only to *Eurick* and his Western *Goths*, but to the *Ostrogoths* also, the Captain whereof *Vindemir* having

Qui alius Aroan-
due Cassidius
est Aroandus
Pando Oricano.
Et Sigibero
Tarracensis.

Rem fide narra-
Stidius, l. 1.
c. 7.

Sect. 2.

having had ill success in Italy came into Gall, and there joyned with Eurick, who was now waiting the Country far and wide with Fire and Sword. Epiphanius the Bishop of Pavia, in vain requesting him to hold his hand. The Cadurci, Lemovices and Gabalitani were forced to submit unto the Goths, and notwithstanding the aid which Ricobimus the Regulus of the Aremoric Britains brought to the Romans at the Solicitation of Athemius their Emperor, yet he still proceeded in his Conquests. Arvernium (now Clarmont, not far from that Hill on which stood Gergonia) was delivered up after a tedious and fruitless Siege, the chief City of Aquitain, which had been the Rampart and Fence against his Fury: He had before Conquered the best part of Gallia Narbonensis, having made himself Master of Arles and Marseilles, the two most noble Cities, and now by Virtue of the Agreement made betwixt him and Nepos, all that lay betwixt the two Rivers, Rhodanus and Ligeris he was to enjoy, Writers observing that with this River he bounded Aquitain. Over the Aruerni he made one Victorius Governour by Gregory Turonensis called a Duke, and by Sidonius mentioned with the Title of Count. His principal Councillour and Minister of State was Leo born in the Province of Narbon, a Man very learned amongst Barbarians, and celebrated by Sidonius for his Eloquence, and his excellent Skill both in Poetry and the Civil Law. As for Eurick, he died when he had Reigned seventeen Years, being the first King who gave written Laws to the Goths, (so as his Name may seem given to him in way of Prophecy) who were formerly governed by Customs only. In his Reign the Theodosian Roman Code was diminished in Reputation, and the Laws called Leges Theodoricianæ, were advanced and obtruded upon the Provincials, Seronatus the Roman Governour conniving at it, or rather furthering the design, as Sidonius complains of him. These Gothic Laws were called Theodoricianæ from the Theodoricks, Kings of that Nation, not that they were Authours of them, for Eurick published them, as Sidonius knew well enough, but by a Paronomasia he terms them Theodoricianæ; because the other were called Theodosianæ. Being now first published by Eurick, they were some Years after enlarged and amended by Lennegild, as we shall farther hint in due time and place.

King Eurick dies.

Carm. 23. Epil.
l. 2. c. 3. &
lib. 9. c. 13.
Epiphanius, Sidonius, lib. 8. c. 3.
Leges Theodoricianæ, non cadunt, Theodoricianæ præponunt.
Sidonius, lib. 2. c. 1.

SECT. II.

From the Death of Eurick to that of Roderick, and the Ruine of the Kingdom of the Goths in Spain and Gall.

The space of two hundred and forty years.

Alarick King of the Goths.

1. Eurick being dead, Alarick his Son succeeded by the universal Consent of the People, about the time that Theodorick the Ostrogoth had made himself Master of Italy. This Prince having obtained the Dominion of that Country, was not wanting to himself by fit means and methods to secure his Interest. Considering that the Franks, Burgundians, and his Kinmen the Visigoths were all powerfull Nations, who now had cantoned Gall amongst them, he endeavoured by Alliances and Affinity to unite their minds; and prevent those Troubles, which he knew the fierceness of their Spirits, as yet half Barbarous, might else raise in the Western parts. Therefore did he marry the Daughter of Clodoneus King of the Franks, who was now made a Christian, and of two Daughters which he himself had by a Concubine, the one he gave in Marriage to Alarick, and the other to Gundibald the Burgundian. But these ties were too weak; to bound and restrain the Appetite of the Franks, whose King impatient of Rest, gladly caught hold of the advantage which the difference of Religion afforded. The Provincials, or the People which were subject to the Goths, being of the Orthodox party, were indeed much irritated by the Arian Zeal of their Kings, Eurick especially, which Transported him so far, as to raise a very great Persecution. Pagans they desired to submit to, rather than Ereticks, knowing that that Idolatry and Superstition were now become out of Fashion, the Derision of the World, and therefore there could

Alarick, Omni-bus reliquis, Ricus in ill.

Sect. 2.

could no inconsequence arise from thence, which in any Probability could be lasting. The Fury of Eurick his Persecution drove many, especially Religious Persons from their Habitations, who flying for refuge into those parts of Gall, that were subject to the Franks, carried the heat of Indignation along with them, which kindled the Desires of that People, and caused the Ambition of Clodoneus to break out at length into a mighty flame; Alaricus though otherwise an accomplished Prince, fought not how to extinguish the Flame by withdrawing the matter that gave the first occasion, as he might have done, but suffered the great discontents about Religion to continue, either acted by an erroneous Conscience, or being confident of his own strength, and glad to meet any occasion of Quarrelling with Clodoneus in the half way.

2. The difference was enlarged by another accident: Syagrius the Count, the Son of Ægidius, whom Clodoneus had defeated in Battle fled to Alarick, and was kindly entertained by him. Clodoneus thereat stormed exceedingly, and procured him to be delivered up into his hands, which seemed to restore them to a good understanding, and perfectly to make up the breach. But the Religious Zeal of Clodoneus, or rather his Envy and Ambition, quickly discovered that the Cause of Syagrius served him but only for a pretence and Colour to his design. Not able to endure, that these Arians should hold any part of Gall, he persuaded his men to undertake the War, to reduce their Territories under their own Power. To make his enterprise plausible at his setting forth, he Commanded by an Edict, that no violence should be offered to Sacred, whether Persons or Places, which he signified to the Bishops then assembled in a Synod at Orleans; as appears by the Epistle itself, prefixed before the Council. In his passage he spared the Territories of Tours for the sake of St. Martin, whom consulting as the manner then was concerning his expedition, being satisfied that the issue would be good, he proceeded on his way as far as the River Vigena. Here the River overflowing by reason of abundance of Rain, he knew not what Course to take, where by an Hart which took the Water, and after her arrival at the other Bank, is said to have disappeared, he was directed to a Ford, and so got safe over with his Army. Thence marched he freight to Poitiers where Alarick now resided, who appointed to give him Battle in the Plains called Campi Vogladenses, lying from Poitiers about ten miles. There wanted no Animosity nor Valour on either side. Alarick performed all the parts both of a prudent General, and a Courageous Souldier, but had the fortune to be dismounted by Clodoneus, who then alighted and slew him, as he endeavoured to rise from the Ground. The Goths utterly discouraged by the Death of their King, were most of them cut in pieces: Engolefme which was held by a Garrison of Goths, quickly yielded to the Conquerour. Such of them as had not been at the Battle, met together at the Borders of Bourdeaux, to prevent the Ruine of their Dominions, but giving there Battle to the Franks, received so great a defeat, that from them and their Religion, the place received the Name of the Arian Field.

1/2 killed by Clodoneus the French King.

3. Clodoneus pursuing his good Fortune took in Bourdeaux, after which the Vesates, Cadurci, Rutheni and Aruerni, yielded themselves to his Son Theodorick. In the beginning of Spring he besieged Toulouse, which he took, and therein the Treasures of the Gothic Kings, which done, he removed to Engolefme, and having reduced the other Towns, and put sufficient Garrisons therein, returned to Tours to perform his Devotions at the Tomb of St. Martin. So do the Historians of the Franks, and generally all Latine Writers relate the Story. Procopius makes the Case to be a little different, writing, that the Franks whom he calls Germans, invading the Territories of the Goths, took up their Station about Carcasson. Alarick expecting succours from Theodorick his Father-in-Law kept himself at a distance, till his Men ready to Mutiny upbraided him with Laziness: Whereupon he gave Battle to the Frank, and therein perished with most of his followers. The Franks elevated with their good Success besieged the strong City of Carcasson, where they heard the Spoils of the Temple of Jerusalem lay, which Alarick the elder had transported from Rome into Gall. But Theodorick drawing toward the Siege with great Forces, they broke up their Camp, and departing seized on that part of Gall, which reacheth from the River Rhone to the Ocean. Then Theodorick despairing to regain that which they had got into their hands, satisfied himself with keeping that part of Gallia Narbonensis, which still remained to the Goths. But such was the end of Alarick, who did not end his Life by the Halter before the Gates of Toulouse, as one ridiculously has left written; for all ancient Authours agree, that he died in Battle, and Gregory Turonensis with others, by the hand of Clodoneus particularly. He Reigned three and twenty years, and in his last but one, perceiving that the new Gothic

Ait saix valde mollesse fero, quod si Arianis partem tenent mus cum Dei adiutorio de superioris religionis terram in dilectionem nostram, Greg. Turonens, l. 2. c. 30. Alaricus, l. 1. c. 20.

Gregor. Turon. l. 2. c. 37. Alaricus, l. 1. c. 20. Ade Vinnensis Flodoardus, Sigebertus, Abbas Exuperius, Odo Frisingensis, dii.

Perris Vallier, nensis Hist. Alaricus, l. 1. c. 1.

Laws

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Law suits not the Humour of the Provincials, who had been accustomed to the Roman, caused the Code of *Theodosius* to be abbreviated by some prudent and learned Men, and then to be published by *Aimoinus* his Chancellor in a full Assembly of the Bishops and Nobility at *Adur* a City of *Novempopulania*.

Gefaleich succeeded.

4. *Alarick* left a Son of five years old, begotten on his Wife that died a little before him, called *Amalarick*, and another named *Gefaleich* which he had by a Concubine. The Nobility despising *Amalarick*, by reason of his Age, made *Gefaleich* King. This could not but be highly displeasing to *Theodorick* the *Ostrogoth*, who to vindicate the cause of his Nephew, sent eighty thousand stout Men into *Gall* under the Conduct of *Ilba*, the Count of the *Gepide*, who had orders also to repress the Insolence of the *Franks*. *Gefaleich* hearing of so great an Army, and having lately lost *Narbon*, which *Gundibald* the King of the *Burgundians* intent upon Booty at this time of Extremity had taken from him, fled cowardly into *Spain* to *Barcelona*, where he could dare to be Cruel to those that were under his Power, though he durst not look an Enemy in the Face; for with his own hands he murdered *Goerick* in the Court. *Ilba* marched straight for *Gall*, where he gave Battle to the *Franks*, and by assistance of the *Visigoths*, killed twenty thousand of them, whereby *Provence* fell as a reward to the *Ostrogoths*, and to the *Visigoths* *Aquitain* was recovered. He took in *Narbon*, and was now ready to march into *Spain*, when *Gefaleich* hearing the News, and despairing of the Fidelity of his Souldiers, whom he had disoblged by his Cruelty, passed over the *Straits* into *Africk* to *Thrasimund*, the *Vandal* King, who kindly entertained him, though he had married the Sister of *Theodorick*, either pitying the Man's distressed condition, or thinking it reasonable to give a Check to the Power of the *Ostrogoth*, which was now grown so high as to threaten all the Neighbour Nations: He assisted him with Money, wherewith repassing into *Gall* after a Years hiding himself, he hired Souldiers and re-entered *Spain*, where he was overthrown in Battle by *Ilba* twelve miles from *Barcelona*. Escaping himself he fled back into *Gall*, and there died of Grief at some place situate upon the River *Druentius*, in the fourth Year after he had been declared King.

But flying his Kingdom,

Dyes with Grief.

Amalarick King.

5. So he died, but who succeeded him is not fully certain: Writers differing in their Opinions. Most hold that *Theodorick* the *Ostrogoth* was now King of the *Visigoths* in *Spain*, into which Countrey some say, that he passed. Indeed the Synods which at this time were held in *Spain*, have his Name before them, and tell us of the very Years of his Reign. But others think, rather that *Amalarick* was King, and that his Grandfather governed only as his Guardian, who having all the Power in his hands, thence he was also presumed to have the Title. To speak indifferently, this is more probable of the two; and as for the expedition of *Theodorick* into *Spain*, we can look at it no otherwise than as a mere Fable, for who can be so prejudiced, as to imagine that so remarkable a thing should be passed over in silence by *Cassiodorus* and other eminent Writers, who have transmitted the particular Acts of this King to Posterity: This is an Invention of *Spanish* Authors, some of whom tell you other fine tales hereon depending; as that *Theodorick* at *Toledo* married a Wife of the ancient *Spanish* Race, by the intertreats whereof being overcome, he restored to the ancient *Spaniards* their Liberty; and that of this Marriage was born *Severianus*, the Father of *Leander* and *Isidore*, a Story as inconsistent with the Course of time as repugnant to truth it self. It's more certain, that *Theudis* or *Theudius* Armour-bearer formerly to *Theodorick*, was by him made Governour of *Spain*, and Protectour of *Amalarick* in his Nonage; who when he came to the Government himself, it seems made use of such a Deputy, one *Stephen* being said to be Prefect or Governour of *Spain*, and in the third year of his Command, to have been discarded in a Council. *Amalarick* married *Clotilde* or *Crotide*, the Daughter of *Clodomarus* King of the *Franks*, and by this Alliance a firm Peace seemed to be made, which he himself through his Fury and Indiscretion caused to be broken.

Who Marries a Daughter of Clodomarus the French King.

But using her ill,

6. His Wife being a Catholic, and he himself of the *Arian* persuasion, he could not at all bear with her Faith, but treated her with all Indignities imaginable. As he went to Church, he caused filth to be cast upon her, and at length so Cruelly beat her, that the Blood gushed out in abundance, wherewith she stained an Handkerchief and sent it to her Brother *Childebert*, desiring the might by some means be delivered from the misery she underwent. *Childebert* being naturally full of Activity and Courage, made no small haste to her deliverance; which her Husband understanding prepared no Arms and Souldiers for resistance, but Ships for his Transportation,

Hinc alii Gefaleichum, alii Gefaleichum, Procopius Gefaleichum appellat. Amalarick, in eadem sententia, Gefaleich, Sualis.

Lucius Tudeus.

Amatorius libri Alabasteris a pulvisculum ad A. D. 530.

Gregor. Turcom. lib. 3. c. 5.

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sportation, and was ready to go aboard, when he remembered he had left many precious Stones in his Closet of such value with him, that he could as easily part with his Life as loofe them. Returning into the Town to fetch them, before he could get back, the Army of the *Franks* was at the Gates, by which forced to return, he would have taken Sanctuary in a Church of the Orthodox Christians, but in his way one of *Childebert* his Souldiers, killed him with a Lance: He Reigned five years by himself, twenty in all if his Reign be computed from the Death of *Gefaleich*. His Wife *Clotilde* died before she reached *Paris*, and there she was buried near to the Monument of her Father.

He is killed by the Franks.

Theudis chosen King.

Is invaded by the Franks.

7. *Amalarick* dying without issue, the Royal Race of the *Visigoths* failed. Being then elsewhere to provide themselves, the choice fell upon *Theudis*, he that had been Guardian to *Amalarick*, though an *Ostrogoth* by descent, for his great Skill and Dexterity in Government. From *Procopius* it should seem that he Usurped, while *Theodorick* King of *Italy* was yet alive, and that this King to provide for the Affairs of *Amalarick* his Nephew, indeavoured by all means to get out of *Spain*; but to no purpose. For during his Government he had provided himself sufficiently, both of Wealth and Interest; and that especially, by a Marriage with one of the Noblest and Richest Ladies of the *Spanish* Nation. But the Kings of the *Franks* thought themselves not yet satisfied, for the Injury offered to their Sister. The year following, *Childebert* and *Clotaire* invade *Spain*, and waiting all the *Tarragonian Province*, lay Siege to the City of *Caesar Augusta*, which the Devotion of the Inhabitants merely preserved from Ruine, for therewith *Childebert* was affected, that he is said thereupon to have raised his Siege. But in their retreat they were badly rewarded for their kindness, being in the Straits of the Mountains set upon by *Theudislaus*, who Commanded a party of *Goths* for *Theudis* their King, a Prince so slenderly provided, that he durst not engage on even Terms. They lost many of their Men, and were forced with Gold to purchase the safety of the rest. This War was followed by a great Plague, which for two years to raged, that in *Spain* an innumerable multitude of poor Mortals perished.

Procopius, alii Theudis, alii Theudis appellat. Luc. Latinus Scipio alii Theudis. Theudis Populus imperans Theudis, Populans.

8. *Theudis*, either to redeem his Credit, which seemed much impaired with the late Invasion, or to assist the *Vandals* in *Africk*, who seemed now to go down the wind, passed over the Straits, and there laid Siege to *Septa*, a City facing *Spain* as standing over against it upon the Water. His Siege he long continued, and was in good hope of carrying the Place, till refusing to use any Acts of Hospitality on a Lords Day, the besieged took their opportunity, and making a Sally with such execution, that they killed all that then were in the Camp; *Theudis* himself with a small part of the Army, by benefit of his Ships escaped: This happened at such time, as *Belisarius* warred in *Africk* against *Gelimer*, who though as yet not reduced to great straits, sent shortly after to *Theudis* to desire Assistance. By reason of contrary Winds, or some other Accident; the Ambassadors failed very slowly, and made little Progress in their Voyage, so that e'er they could have Audience some other Ships were arrived, and brought News of the taking of *Carthage*, and the Destruction of the *Vandal* Kingdom there. When they came to make the demands, *Theudis* asked in what Condition their Masters Affairs now stood, to whom they replied, that they were in a very good posture. Whereupon he told them, that they should return into *Africk*, and there they should have a pertinent Answer. Being entertained by the King at a Feast, where all both eat and drank plentifully, they imputed the strangeness of his Answer to the excess of Wine, and the next Morning demanded another Audience, which granted, they heard but the same Words repeated, and thereupon suspecting the matter, found their Suspicion not to have been ill founded at their return. Not long after, *Theudis* after he had Reigned seventeen Years and about four Months, was slain by one that Counterfeited madness for that purpose. Before he expired, he Commanded the Murderer should not be punished, calling to mind that he himself had killed his Captain, to whom he had when a young Man sworn Fidelity.

Theudis murdered.

Theudislaus.

9. He being dead, *Theudislaus* his General was chosen King of the *Visigoths*, a *Theudislaus* five Man that had got much Honour in the War against the *Franks*, and of good Esteem otherwise, as being the Nephew of *Totilas*, King of the *Ostrogoths* in *Italy* slain by his Sister. His good beginnings were within a little time quite blemished by his Prodigious Lust which hurried him into Cruel and Treacherous Acts, procuring for feigned Crimes and otherwise, several of the Nobility to be made away, that with Freedom he might enjoy their Wives. This caused those that apprehended themselves in danger, and had otherwise reason to be concerned, to enter into a Con-

Theudislaus five Man that had got much Honour in the War against the Franks, and of good Esteem otherwise, as being the Nephew of Totilas, King of the Ostrogoths in Italy slain by his Sister.

Sect. 2. spiracy for taking away his Life, which was done at *Hispalis* or *Sevil*, in the midst of his Cups and Jollity, after he had Reigned a year or seven months, though others extend it beyond a year and an half continuance. Into his place was elected *Agila*, who all his whole Reign contended with adverse Fortune. At his first beginning the Inhabitants of *Corduba* denied obedience, which obliged him to lay Siege to their City, but they issued out upon him, and quite defeated him, killing his Son upon the place. As the merits of Men are measured merely by Success, he began pretently to be despised, which encouraged one *Athanagild* to rebel, who to strengthen himself sent to *Justinian* the Emperour, desiring aid for to accomplish his revolt, and promising to reduce a good part of *Spain* to the obedience of the *Roman* Empire. *Liberius* a Patritian was accordingly ordered to march out of *Spain*, who about *Sevil* gave Battel to *Agila*, where the King being overthrown fled to *Emerita* and there was slain by the Nobility, after he had Reigned some say five Years and six Months, others five and three Months, and *Sigebert* with less Probability nine Years. *Athanagild* succeeded in the Kingdom, but had work enough to find him doing all his Life, made by the Army of *Justinian*, which he had called in to his assistance. For now having obtained what he designed, he resolved to forget his Promise, and indeed he must either break it, or loose that which was the end he proposed; the *Gothick* Nobility being highly concerned, that the *Romans* had once again got footing in *Spain*, of which a very considerable part by Virtue of the League with him, and by force of Arms they had recovered, their Dominions being terminated by both the Seas. He had by his Wife *Galsuinda* two Daughters, *Galsuinda* married to *Chilperick* King of *Seiffons*, and *Brunichild* the famed Wife of *Sigebert* his Brother, King of the *Mediomatrices* or *Austrasia*, of which we hear enough in another place. He died at length at *Toledo*, after he had Reigned some say fourteen, others fifteen Years with six Months. In the Kingdom of *Portugal*, sixteen miles from the City *Guimarae*, (by the Ancients called *Idonia*) is a Village yet extant, that bears his Name, possibly built in his time, where are to be seen Ruines of buildings, which perfectly shew they were of *Gothick* work.

And dyed.

Livia King.

Leunigild his Partner.

Who drives the Romans out of Spain.

Livia dyed.

Leunigild makes War upon Cantabria.

Then Aspidius.

10. After the death of *Athanagild*, followed an Interregnum for six Months, though in *Lucas Tudenfis*, we find seven Years and as many Months, which place is doubtless corrupted. The state of the Kingdom could very ill bear the want of a Governour for so many days, but so long the Factions of the Nobility continued. At length they agreed to promote *Livia* (so he is called in ancient Coins) who then at *Narbon* Commanded those parts of *Gall*, which still remained subject to the Western *Goths*. Having been accustomed to these parts for seven Years, he had no Inclination to move into *Spain*, and therefore in the second Year of his Reign he made *Leunigild* his Brother Partner with him in the Kingdom, committing to his Care and Government the other Provinces that were subject to the *Goths*. This *Leunigild* by *Theodisus* his former Wife, the Daughter of *Severianus* Governour of the *Carthaginian* Province, had two Sons, *Ermenigild* and *Reccarde*, but the being dead about the time that his Brother was made King, he had married *Galsuinda* the Wife of *Athanagild* his Predecessour. Being a man of great Courage and Conduct, and seeing what danger lay from the *Romans*, who had got so much of the Countrey into their Power, he could not forbear but presently led against them; and in the Region of the *Balettani* gave them Battel, with such Success that he beat them out of this whole Countrey: The Territories of *Malaca* he wasted with Fire and Sword, had *Affidonia* a Town standing upon the Straits, betrayed to him by *Framidianus* the Governour, reduced *Corduba* to obedience, which ever after the defeat given to *Agila*, had refused to submit, with several other Towns, and all the Tract of *Sabaria*. While he thus employed himself in *Spain*, his Brother *Livia* or *Linba* as others call him, died in *Gall* after he had Reigned five Years, or as others but three, of this Opinion being *Isidore*.

11. *Leunigild* having settled the Affairs of *Betica*, and driven the *Romans* out of all the Province, turned the War upon *Cantabria*, where he took the City *Amala*, (by others called *Aregia* and *Varegia*) having wasted all the Countrey to the Gates, and killed many that denied Submission. From *Cantabria* he moved into *Aquitain*, where he forced *Aspidius* to submit, and put himself his Wife and Children into his hands, who had held the City *Agen* against him. We are told by a certain Authour, that this *Aspidius* was a *Senior* in this Countrey, using this word as a Note of Dominion and Principality. A Senate was so called from *Senes*, or *Seniores*; for that such Consult and govern is most proper and wholesome for a State. Therefore

A-gild, liber, frumant, non pto vear. Gild five gth, monum.

Aren-gild, com-munum tribu.

Livia, L.

Leunigild, Livi Par.

Qui fissa Sabaria plene mitemus. Juvener Maritima; an Sebadum & Sebadum. Legimus fit in insigne locum videtur Jacobus Valera, Johannes Albi.

Bidarensis quid Maritimum de rebus Hisp. lib. 5. c. 11.

in succeeding times, as well in the Monuments of *Spain*, as in the Acts of such Councils as were held about the time of *Charles* the Great in *Gall*, Lords and Princes are termed *Seniores*, which custom being derived into the *Bastard* Latine Tongues of *Spain*, *Gall* and *Italy*, thence the Titles of *Senor*, *Signior* and *Signeur* in those Modern Languages received their Original. The same year that *Livia* died, *Miro* or *Ariamyrus* succeeded his Father *Theodomin* in his Reign over the *Suevi*, who died two years before. We have heard nothing of a long time of these Kings since *Remismund*, of whose Successours either as to their Names or Actions we know little or nothing, those Monuments which should have transmitted them to us having perished.

12. But *Isidore* puts us off with this scantling account, after he had told us some small matters concerning *Remismund*, and how the Heresie of the *Arians* was propagated amongst the *Suevi* by one *Ajax*, that many Kings of the *Suevi* afterwards remaining in the profession of that Heresie, at length *Theodomin* came to be King, who by the assistance of *Martin* a famous Bishop, restored the Catholic Religion. After *Theodomin* reigned *Miro*, who reigned thirteen years, and in his second made War, as the Copy now hath it, upon the *Roman* *Roccones*. Another Authour tells us it was against the *Aragones*, and a third calls them *Vafcones*, with more reason the same with those that now inhabit part of *Navarre*. *Leunigild* being returned out of *Aquitain* into *Spain*, began every day more and more to grudge and disdain, that the *Suevi* or any others besides himself should have any thing of that Countrey. He could not forbear attempting something upon their Borders, which *Miro* sensible of, and knowing his own strength, took the best course to fend a submissive Message, but he could not prevail for any thing more than a Truce. Then turned he his Arms upon the *Roman* Forces, which *Justin* the Emperour had sent to protect the Limits of *Spain*. Their chief residence was upon the Mountains called *Oropede*, which rising at the roots of the Hill *Cantus*, run through *Molina* *Coucha* to *Segura*, and the Borders of *Granado* as far as the Straits of *Gibraltar*. Trusting to the Steepness and Cragginess of the place, they refused to submit, but he reduced all the Forts and Castles, and the whole Province under his Dominion, whereby it came to pass that the *Romans* were in a manner driven out of *Spain*, little now being left them but a small tract of Ground upon the Mediterranean Sea.

Leunigild makes Ermenigild and Reccarde Partners with him in the Kingdom.

Ermenigild converted to the Faith.

13. His matters being in so hopeful a posture, in reference to Foreign Potentates, he was the more concerned to think how they stood at Home in relation to his own Family, for whether it or some that never had taken any care and pains, should reap the fruit of his Labours was utterly uncertain, Kings being wont to be chosen by the suffrages of the Nobility, and no way of Succession at all Established. To prevent this, he declares his two Sons *Ermenigild* and *Reccarde* his Partners in the Kingdom, the former being to reign at *Sevil*, as some, or as others say at *Emerita*, and the latter at the confluence of the two Rivers *Tagus* and *Gua-diela* near *Paterniana* or *Palfrana*, *Leunigild* building a City which after him he called *Reccopolis* (vulgarly *Ripol*), as some imagine, in *Celtiberia*. He himself placed the Seat of his Kingdom at *Toledo*, whereupon it began to be called the Royal City, and to be the Seat of the Kingdom, as formerly had been *Hispalis* or *Sevil*. *Ermenigild* Married *Ingunda* the Daughter of *Sigebert* King of the *Mediomatrices* by *Brunichild*, a device as 'twas thought very proper for strengthening his Interests, for being the Grand-daughter of *Athanagild* and *Galsuinda* hereby the Blood and power of both these Royal Families were conjoynd. The Maid being brought up to her Grandmother, the footed her up with extraordinary flatteries, to win her to embrace *Arianism*; but when this would not doe, treated her with as great indignities, not only with words, but blows, and once tumbled her down into a Fishpond, to the great danger of her life; which notwithstanding he not only kept her Religion, but is thought to have brought *Ermenigild*, now her Husband, to the imbracement of the truth, to which the long distance of King *Leunigild* gave a good opportunity, who had now taken a Journey to the *Carpentani* in the hithermost *Spain*; at what time *Ringunda* the daughter of *Chilperick* and *Fredegund* was coming to be married, according to Covenant, to *Reccarde* the other Son. But having reacht *Toulouse*, the heard of her Father's death, procured, as was thought, by *Laudrey*, and so returned again to her own Countrey; which known, *Reccarde* married one *Bada*, the Genealogy of which Woman cannot be drawn by any mortal hand.

Sect. 2.

In Chronic. ad Annum 402.

Joannes Abbat. Lucas Tudenfis.

Ermenigild institutum trinitatem. Rege-reden, alter cum rebus, To which read his son, i. e. To Evil Council. Reade etiam Joannem Duffris. Da Resarcum interpretatur Graecum, ego autem pectus tua. Rege-reden vel Rege-reden de pectus Confessio. Vexator enim Reccard adro bene ac Reccarde.

Sect. 2.

Is persecuted by his Father with War.

14. But the Grandmother so plied *Leunigild* with Solicitations and Arguments drawn from Piety and Religion, that he must needs chafise his Son with War, if otherwise he could not reduce him. "He sends a Menacing Letter, accusing him of ingratitude and disobedience, arguing him of folly for renouncing such a Faith as the *Goths* had hitherto professed with great prosperity and success; and tells him, that if now he did not comply, he must expect no paternal compassion for the time to come. The Son returns a modest, but resolute Answer, "That there was one higher than him, whom he must needs obey, if their Commands were contrary, and praying him to do nothing whereof he might have occasion to repent him all his life, and which would bring a perpetual Infamy upon their family. But the Father not remaining satisfied with his Son's answer, they both provide for War. The Son gets the *Romans* on his side, but they presently again for money renounce the Alliance made with him, and promise their assistance to the Father. They spent three years in seeking Friends and making Alliances, till at length *Leunigild* in an Hostile manner invades *Bætica*, and lays Siege to *Hispalis*, for starving of which he consulted how he might drive the Courfe of the River *Bætis* upon which it stands, and fortified a place four miles off, where the Walls of the Ancient City *Italica* formerly stood, where now is to be seen a Monastery of *St. Siflore*, the *Moors*, it's probable, after the times of the *Goths* having destroyed the City. *Miro*, King of the *Suevi*, though of the contrary persuasion as to Religion, joined with *Leunigild*, and was (as a punishment for so great a crime as some believed) taken away by Death in the time of the Siege. *Eburick*, or *Eborick* his Son, succeeded him in the Kingdom of *Gallicia*, whom not long after *Audeca*, a wealthy man, deprived of his Kingdom, and thrust into a Monastery, having married *Sifegatia*, the Relique of *Miro*. But see the justice that attended the Usurper. *Leunigild* within a year or two disdaining that the Son of his Friend and Ally should be so spoiled of his Inheritance, invaded *Gallicia*, took *Audeca* alive, and causing him to be shaven, put him also into a Monastery, and made him receive Orders. He seized on all the treasure, and reduced *Gallicia* into the form of a Province; the Kingdom of the *Suevi* being thus overturned after it had continued one hundred and seventy four (some say seventy seven) years.

The Kingdom of the *Suevi* overturned.

Ermingild slain.

15. But to return to *Hispalis*, the drawing of the River away from it brought it into extreme necessity, which *Hermengild* not able any longer to struggle with, secretly stole away to the *Romans*, not knowing they had dealt so perfidiously with him already as to join with his Father. *Leunigild* quickly got the Town into his possession, and not long after his Son into his hands. Some think he was betrayed by the Inhabitants of *Corduba*, whither he had retired upon notice how matters stood betwixt his Father and the *Romans*. Others say it was at a place called *Offetum*, which being strong, he seized with three hundred stout men, hoping to make some opposition, but the Town was taken, and he fled into a Church for Sanctuary, whence being by the kind words of his Father drawn out, he was afterward put to death, one *Subert* being Executioner, when he refused to receive the Communion at the hands of an *Arian* Bishop. But Authors differ about the place of his death, some affirming he was made away by *Subert* at *Tarracon*, and that before that he had been banished to *Valentia*. Others, that he was Martyred at *Sevil*, where they shewed a Tower near to the Gate of *Cordova*, wherein they say he was kept Prisoner, horrible for straitness and darkness, and they honour him as a great Saint, celebrating his Festival on the thirteenth of April, by virtue of a Bull of *Sixtus Quintus*. *Ermingild* his Wife full of tears and sorrow, with her young Son, fled into *Africk*; the *Roman* Captains, to whose Custody she was committed, purposing to convey her to *Mauricius* the Emperour as some notable booty taken in War.

16. *Childebert* her Brother, and *Gunttran* her Uncle, Kings of the *Franks*, were ready to plead her Cause by dint of Sword, when *Reccarede* the younger Son of *Leunigild* diverted them from Spain by making an Inroad into their Territories in *Gall*, where he took a strong Castle called *Zigerum* in those belonging to *Arles*, and wasted the Country in a dreadful manner. This brought both Parties to listen after an Accommodation, when other things happened which incensed the *Franks* to a higher degree of Indignation. Some of their Ships as they were Trading to *Gallicia*, were intercepted by those of the *Goths*, and as well the Men as the Vessels and Goods belonging to them were made prize. This made the two Kings give deaf Ears to what was pleaded by *Leunigild* his Ambassadors; and *Mariana* tells us he has an Author which affirms that *Reccarede*, now again from *Narbon*, made an Incurfion into the French Dominions, wasting many fruitful and pleasant places of *Gall*.

Johannes Alibi.

Turnensis autem scilicet dicit in Patria defunctum, sedere patrum cum Leunigild.

Joannes Alibi, Gregor. Turonensis lib. 8. c. 28. Basiliensis Gregorius Dialog. lib. 3. c. 31.

Sect. 2.

Gall. It's certain that *Childebert* was so moved as to enter into a League and Alliance with *Mauricius* the Emperour, whose friendship he had formerly despised for driving the *Lombards* and *Goths* out of *Italy* and *Spain*. And being, it seems, obliged first to begin with *Italy*, he sent thither a considerable Army, which was defeated with so much loss, that *Childebert* was much cooled in his design of making the same Attempts upon the *Goths*, especially when he heard that the, for whose sake he had embraced the quarrel, was dead, either in *Africk* or *Sicily*, and perceived that the Emperour would lend his Name and Reputation, but not his helping hand to any enterprize considerable. Her Son, we are told, was carried to *Constantinople*, where what became of him, is utterly unknown, but probably he had the happiness not to stay long behind his Mother. Much about the same time died also *Leunigild* in the eighteenth year after he had began to reign with his Brother. He had the happiness before his death to reduce and take Prisoner *Malarick* or *Amalarick*, who had the confidence to usurp in *Gallicia*, and set up again the Kingdom of the *Suevi*. He was cruel in his disposition, having, besides his Son, put several other Noble men to death. He first of all those *Gothick* Kings filled his Treasury with the Goods of the Church, and the Estates of private men as well as Enemies. He first used a Throne and Royal Robes, whereas those before him fate and were habited like the Nobility. The Laws made by *Eurick*, he mended, taking away and adding as to him seemed most convenient.

17. *Reccardus*, or *Ricared*, succeeding his Father, set himself to reform Religion, abolishing *Arianism*, and establishing the Catholick Faith, and that with as little noise and trouble as could be expected in a matter of such concernment. For establishing a firm and lasting Peace to his Dominions, he desired to be friends with the Kings of the *Franks*, and as a more powerful way to effect it, his Wife *Bada* being dead, he desired in Marriage *Clodofinda*, the other Sister of *Childebert*, King of *Austrasia*, utterly denying that he was of Council with his Father, or had any hand in the misfortunes of his Brother, his Wife and Son. The thing could not presently be accomplished; for *Gunttran* the Uncle had not yet digested the affront offered to his Family, but would by Arms be revenged, sending *Defiderius* with considerable Forces to waste the Territories of the *Gothick Gall*, where the *Goths* at first had the worst, and shut up themselves within the City *Carcasson*, but afterward took their opportunity, and made such a fall upon the triumphing and secure besiegers, that they slew their Captain, and killing most of them, the rest secured themselves by shameful flight. This Defeat did but more exasperate the spirit of *Gunttran*, who to recover his credit, the year following sent no fewer than sixty thousand men under Command of *Boso* into the *Gothick* Borders. News being brought into Spain that such a storm was approaching, *Claudius* the Governour of *Lusitania* descended of *Roman* Blood, was sent away to protect the Borders, who finding the *Franks* near *Carcasson*, the happy place of their late defeat, resolved there again to fall upon them, and with the like success. For he defeated them in *Bartel*, killed many in the fight, and not a few in the pursuit, took their Camp with all their Baggage, and obtained such a victory, that if *Idore* be not partial, a more eminent one never had happened in Spain, the glory whereof was increased by the smallness of the number of those that fell on the *Gothick* side. For you must know this defeat of threecore thousand *Franks* was effected by the Valour of three hundred *Goths*, so powerful was the Tongue, sharp the Sword, and prevalent the Example of *Claudius* their Captain.

18. *Ricared* having the good fortune to be Victour both in the field against his publick Enemies, and at home against such Conspirators, as out of hatred to his Religion had contrived his destruction, obtained so much repute in the World, that at length his suit was admitted, and *Antharia* the *Lombard* being put off, to whom she had been as good as promised, *Clodofinda* was sent to him, and a strict Alliance and League was made betwixt the Nations. What time the Marriage was Consummated, Authors do not agree amongst themselves; but evident enough it is, that toward the latter end of his Reign the League was made betwixt the *Franks* and him. This farther added to his Glory, That the *Romans* which still remained in Spain, were by his endeavours reduced to an inconsiderable Number and Power. By the same good fortune he reduced the *Pascos* to obedience, when they had entertained Councils of dangerous consequence. He was a Man of great goodness as well as felicity, being singularly good natur'd, and very pious, to which being added excellent wit, and great endowments both of body and mind; he left a great mis of him behind him, dying at *Toledo* after he had reigned fifteen years, one month

The French worsted in two Expeditions against the *Goths*.

A League and Alliance first put betwixt these two Nations.

Ricared dies.

Sect. 2.

month and ten days. He had two Wives, as we have seen, viz. *Bada*, Daughter, as they say, to *Arthur* our famed King of Britain, and the French Lady lately mentioned; and he left three Sons, but by what Mother or Mothers, cannot be determin'd. The eldest was *Liuvva* (*Luiba* or *Loiba*) whom some will have the Son of *Bada*, but *Ildore* writes that he was begotten of an Ignoble Mother, so that some conjecture he was base born. And as for the other two, viz. *Suinthila* and *Geila*, their Original as to the Mother's side is rather more obscure.

Liuvva the Second succeeds.

He is slain by the treachery of *Witterick*.

Who seizes on the Kingdom.

19. *Liuvva* his eldest Son succeeded him, and being very young (not twenty years old, some say hardly fifteen) was so obnoxious to the plots and devices of bad men, his Father's great Merits could not protect him, although he gave to all men very good hopes that he would not tread but in his steps. He was circumvented and slain by the treachery of one *Witterick*, accustomed to such Villanies, when he had scarcely reigned two years. Being a goodly person, and taken away in the flower of his youth, he was exceedingly lamented by his Subjects. In Spain there were not long since extant some Golden Coins stamped with his Image, and words which argued his eminent piety; in which Coins, left he be thought the same with *Liuvva* the First, his great Uncle, he has on his Head a Royal Crown, a thing not used by any of those *Gothick* Kings till the time of *Lewegild*, as we before hinted. *Witterick* having seized on the Kingdom, held it for the space of six years and ten months, or thereabout, being a Soldier good enough, which he testified by the Wars he managed with the *Romans*, though the success he had against them was not answerable to that great Ambition he had to drive them quite out of Spain. He was moreover engaged against *Theodorick* King of *Burgundy*, to whom having married *Hermenberga* his Daughter, the was disgracefully sent back to him, for what reason, and upon what account, we confider in the History of that Kingdom. Whatever the Cause of the Separation was, it could not, in his opinion, take off the injustice of the Fact, and the affront was so intolerable, as nothing could expiate it but the Ruine of him that had given the offence. And he so plied his business, that he made a very promising League and Alliance betwixt himself *Agilulf* King of the *Lombards*, *Clotair* the inveterate Enemy of *Theodorick* and *Theodebert* the King of *Austrasia* his Brother, for the Conquering of the Kingdom of *Burgundy*. But *Theodorick* had at this time the good fortune to draw off his Brother, and thereby it came to pass that this terrible Conjunction and Confederacy dwindled by degrees to nothing. This brought the Usurper into such disgrace with his People, that calling to mind his ill title, and the means he had used to advance himself, the Multitude rushed into his Court, and slew him as he sat at meat, having performed nothing suitable to his pretences, nothing memorable, but that his Captains took *Seguntia* from the *Romans*.

20. He being slain, one *Gundemar* obtained to be King, whether as a reward of what he had performed against *Witterick*, or by the suffrages of the Nobility, is uncertain; some do very probably conjecture, that it was not without the assistance of the *Franks*; for they owed malice to *Witterick*, and it appears that *Gundemar* paid them an Annual Tribute from some ancient Records which were extant but in the days of *Mariana*. We find farther, that the Ambassadors of *Gundemar*, though sacred by the Law of Nations, yet were violated or abused by them; and although just occasion of War was thence afforded, yet he sent others who neither could get any Audience of the Kings. Herewith *Bulgaranus* the Count, who governed the *Gothick* Gall as Lieutenant to *Gundemar*, found himself so concerned as to stop the Ambassadors of *Theodorick*, and deny them access into Spain, and was seeming to be now coming on, to be before-hand with the *Franks*, he took by storm two Towns in *Gallia Narbonensis*, which by virtue of an Agreement made by *Ricared*, were assigned to the use and service of *Brunichild* the Queen, who dying not long after, they never were re-demanded of the *Goths*. *Gundemar* in the mean time reduced the *Vascons* which had rebelled in Spain, and had good success against the Captains and Forces which were set to protect the limits of the *Roman* Empire in that Country. This having done, he fell sick and died at *Toledo*, having reigned no more than one year, ten months and thirteen days, leaving no issue behind him by his Wife *Hildmara*, at least that is known to us. He was an Excellent Prince and much bewailed, Fortune having but shewn him and his Vertues to the World, and then as envying his People so great an happiness, having again suddenly withdrawn him from their sight.

Who reduces the *Vascons* to Obedience,

And dyes.

Ignobili quidem matre procreatus, sed virtutum inde insignitus. In Chronic. ad An. 639. Omitas, P. tencia casta. Gold-wiler, P. cantem expellens publico capite.

Alia Vintericus, Betericus, Detericus, Vitericus, et Tritericus.

Wich Rich, P. dicit dicit.

Argumenta V. rigalis anni quod Francis a Gundemaro fuit concessa, quod fuit concessa ex Bulgaricus Comitibus Galliam Gothicam pro Ager eo dicitur gubernante innotuit, quod ad hanc diem Complutensis littere videntur servare, quod servantes. lib. 6. c. 2.

Sifchatus chosen in his place.

Reduces the *Astures* and *Ruccones* to obedience.

Weakens the *Roman* Power in Spain.

And dyes.

Recared his Son succeeds.

Who being made easy, *Suinthila* is chosen King.

Who chastises the rebellious *Vascons*.

Is sole Monarch of all Spain.

He makes *Rechimir* his Son his Partner in the Kingdom.

21. The grief that all good men conceived for the loss of him was mitigated by the good hopes of the Vertues of his Successor, one *Sifchatus* upon that account chosen by the Suffrages of the Nobility. And their expectations he both confirmed and increased by the Course of his Actions. The *Astures* and *Ruccones* who had rebelled, trusting to the places they inhabited, which were very difficult of Access, he speedily reduced to Obedience. The Remains of the *Roman* Power being now driven up to the Straits of *Gibraltar*, and the Shore of the Ocean he prosecuted and lessened, giving them two notable defeats, and taking not a few Towns from them in *Betulia* and *Lusitania*, part of which Province they still held, but were now reduced to such a low condition, that they were ready to pack up and depart. The Glory of his Arms he increased by the Fame of his Clemency and good Nature; for such Prisoners as he took, he would often dismiss without Ransom, and pay the price of the Redemption of Soldiers out of his own Treasury. While he behaved himself in this manner, and discharged all Offices of a good and pious Prince, he was taken away by Death, after he had reigned eight years, six months and sixteen days; but how he came to his end, is utterly uncertain, some reported that he died of an *Hypercatarrhis*, or too violent a purgation by Physick he took, others said that he was poisoned by his Physicians, as happens usually in the death of Princes, especially if their departure be sudden, or if they be loved and admired by the People.

22. There are two Laws of this *Sifchate* mentioned in the twelfth Council of *Toledo*. "One prohibiting his Successors under an heavy Curse to suffer a Christian to be a Slave to a Jew, or to serve him. The other depriving him of all Ensigns of Honour, who in time of War should either refuse to go out in Person, or forsake his Colours, which as too severe, was mitigated by *Flavins Eringius*. To this same *Sifchate* is also ascribed the beginning of Naval preparations, whereas the *Goths* had heretofore been strangers to the Sea; but now the *Roman* Power in Spain, being even quite extinguished, there was means and opportunity enough to apply themselves to Sea matters. *Sifchate* being dead, Recared his Son succeeded, an Infant, who bearing the Title of King but for three months, after which time he died, or was deposed, thereupon it came to pass that by several Authors time he is not put in the Catalogue of Kings. Both Father and Son being removed, one *Suinthila* who had Commanded the Army of *Sifchate*, and by Arms obtained great esteem, was chosen King by the Nobility. Some write that he was the Son of *Recared* the First, and married *Theodora* the Daughter of *Sifchate*. He was a man of great Courage, and indefatigable Industry; very prudent in Consultation, and of a mind so propense to all Acts of Munificence, that he was ordinarily called the Father of the Poor. In his time the *Vascons* forgetting the smart of that chastisement he had formerly when a Subject inflicted on them, again rebelled, with Fire and Sword invaded the *Tarraconian* Province, but he marching against them, they were by his very presence affrighted into good manners, and submitting themselves as a punishment or expiation of their offence, he caused them to build a City called *Oligitis*, or *Oligitis*, as a Rod for their own back, to be a curb and a check to their Rebellious humour for the time to come.

23. *Suinthila* had farther the good fortune to make himself Monarch of all Spain, a thing which had not happened to any of the *Gothick* Kings. For now was the time of Dominion of the *Romans* in this Country expired, one of the Patricians or Governors being drawn off to the King's party, and the other overcome by force, after they had for seventy years held part of *Lusitania* and *Betulia* with various fortune; and a wonder it is they should so long hold out and keep their possession of those parts lying upon both the Seas so long as they did; but as some very well conjecture, that which maintained their Power, was the supply they constantly had out of *Africa*; for which they lay so convenient; which when it came to be subdued by the *Sanaces*, the Intercourse ceased, and consequently for want of maintenance their strength and interest quickly fell into irreparable decay. These things were achieved by *Suinthila* within five years compass of his Reign, whereby having so well provided for his Kingdom, he thought he might now make provision also for his family. The Kingdom, as we have seen, was Elective, or in the disposal of the Nobility; but he to establish it in his own House, made *Rechimir* his Son his Fellow or Copartner in the Title and Government. This was plainly an alteration of the Political frame, which the *Goths* would not endure, but were so alienated in their minds and affections from him, that falling into most grievous disorders, they drew confusion upon themselves, and forced him to quit the Title.

Sect. 2.

Sifchatus, dicitur capere, Ildore.

To Vide Joan. Va. ad An. 621.

Hanc Sifchatus Patris sui tres tantum meritis regnavit. Rodoricus Tiberius filium, quem sequitur Alfofius.

** Hanc civitatem alii in Novarra dicunt esse eam quae vulgo dicitur Oligis, alii in Castellae veteri, quae vernacule nunc Valladolis nuncupatur. Sub iudice lit est.*

Sect. 2.

For which he is deposed.

And Sisenand obtains the Kingdom.

Dies.

Chintila Elected in his stead.

24. As there never wants some, who make their Markets out of publick Calamities, and raise themselves out of the Ruines of others, there was one *Sisenand* a very good Souldier, who took the opportunity to set up for himself. His Ambition carried him into *France*, where by reviling *Suinthila*, and urging the easiness of the Enterprize, he obtained Forces of *Dagobert* for outting him of his Power, under the Command of *Abundantius* and *Venerandus*. These Forces appearing before *Cæsar Augusta*, the Nobility forsook *Suinthila* and his Son and received *Sisenand* for their Prince, which Renunciation was afterward confirmed by the Fathers of the fourth Council of *Toledo*, adding thereto an Excommunication and Depriuation of all his Estate, other than what it should please his Successour, their most Pious Prince as they call him out of his Piety to bestow upon him and his. What ground there was for this heavy censure cannot be understood, for that he was a very good Prince at least at his beginning, we must believe from *Ishdore*. Indeed there are that lay Vice to his Charge, and it is not a thing strange to the Nature of man, to be puffed up and enervated by Prosperity. After his Success against the publick Enemies, some say, he gave up himself to be governed by *Theodora* his Wife, and *Agilan* his Brother, which procured him the Indignation and Hatred of his Subjects. The Fathers in Council assembled may a little be suspected of Partiality, not to say injustice, for cutting off from the Communion of their Body, a Prince who could not offend in seeking to maintain that power, to which he had been legally Elected. But hence seems the mischief to have proceeded: He intended to settle it upon his own Family by the afflicting of his Son, without the Authority of the usual Election interposed. *Ishdore* here makes a stop of his History, as unwilling to relate the disgrace and Miseries of a King formerly very famous, and whom he had commended to Posterity for his Virtues, being also his Kinsmen. He Reigned ten Years: His Son *Rechimir* dying much about the same time, or rather being deposed with him, is not reckoned amongst the Kings (as neither *Henry* the Son of our *Henry* the second, because he died before his Father) but is confounded with him, as some of the *Spanish* Writers have observed.

Rodricus Tolosanensis, Michael Ritus.

25. *Sisenand* having obtained his Desires as to the Succession, was solicitous to keep what he had got how justly or unjustly soever, as knowing that some other might write against him after the Copy, which he himself had set. Sufficiently assured, that no pretence is so plausible and effectual as that of Religion, in the third Year of his Reign he summons the Bishops to meet in Council, making shew of Zeal for having the Ecclesiastical Discipline restored, which through the iniquity of the times had much gone to decay, but intending to procure the Acts of *Suinthila* to be condemned by the Fathers, and consequently bring those of his party to acquiesce in the Alteration lately made. Accordingly his Posture, Habit and Gestures were fitted, in mean Clothes, presenting himself to the Synod, where kneeling on his Knees with Tears which he had at Command, he desired their Prayers to Almighty God in his behalf. Here now amongst other things of Ecclesiastical Concernment, it was decreed, that none should be King, but he that was admitted by the free choice of the Nobility and Prelates, and *Suinthila*; as we hinted, his Wife, Sons and Brother were cursed after the Christian manner, for what they had impiously and Cruelly committed in the abuse of the Royal power. Another thing is said to have been done in this Synod, respecting the Civil as well as the Ecclesiastical state of the Kingdom, and that was the publishing of that Volume of *Gothick* Laws, which hath been wont to be called *Forum Judicum*. Many learned Men and very good Antiquaries have been of this opinion. But others chuse rather to ascribe the thing to *Egica*, one of the least of the *Gothick* Kings; forasmuch as many are therein extant, which have the Names of following Princes. As for *Sisenand* there is nothing now that is memorable of him; but that there's a difference about the length of his Reign, some counting it to have consisted of three Years, eleven Months and sixteen days; but others extend it to the space of five Years and more.

26. Into his Place according to the method prescribed by the Council, was one *Chintila* elected, who thought it a very wise Course to follow his example, of summoning the Fathers together by their Reputation to gain farther strength unto his Title. The state of the Church being of Course in the first place provided for, the last in Execution, but the first and principal in his Intention and Design was accomplished as much as in them lay, the safety and Prosperity of his Person and Government. His election is confirmed, and Care is taken of his Sons, that after his Death they be no way injured nor molested. The Curse is renewed upon him, who

Sect. 2.

Dies.

Then is Tolosa chosen King.

His Character,

And Death.

Chindafuinthus Ulurps.

Summons the seventh Council at Toledo.

Makes his Son Partner with him in the Kingdom.

Dies.

Receivesinthus succeeds in the Kingdom.

who should arrive at the Sovereign power, by any other means than that of Election, which is also restrained to the ancient Nobility of the *Goths*: And it is made utterly unlawful to attempt it, during the Life of the present King, as that which would open a Door to all sorts of Tumults, Seditions and Treasons. This Synod being held in the first Year of his Reign, consisted but of two and twenty Bishops, in such great haste he was to have his matters settled, and therefore in that following, he assembled another Council consisting of above fifty, called the sixth Council of *Toledo*, wherein the Decrees of the former Synod were confirmed. And by this Political course he attained his end, the People being kept in order by this shew and pretence of Religion. For nothing else is he memorable. He died after he had Reigned three Years eight Months and nine days.

27. His empty place was soon filled by one *Tolosa*, who was no whit unworthy of the place, nor of the Suffrages of those that elected him. He was a Man young in years, but old in prudence, Valour, and in all well grounded Principles of Virtue and Honour, furnished with all Abilities requisite to so high a Calling, which no way puffed him up, nor made him forget such as misery and want had plunged to the lowest condition of Mortals, whom by his extraordinary Clemency and Munificence he raised and refreshed, esteeming his Royal Treasures to be in this way best employed. He was extraordinary below'd by the People, and their love being so great, the greater was their sorrow that they could not any longer enjoy him, for he continued with them but two years and four months, dying then of sickness at *Toledo*. So write and consent the *Spanish* Writers generally, only *Sigebert* the Abbat hath published another Doctrine, as that he was a young man of a light and frivolous disposition, and by his Licentious Course of Life, so provoked his Subjects that they deposed and forced him to take Orders; but a certain Bishop who lived in those very times, who both heard and saw, and accordingly made Relation as we have no reason otherwise to judge, is in this matter of Report to be preferred before a stranger, who either out of prejudice against the Nation, (so the *Spaniards* imagine) feigned this story, or received it from other hands, whither it could reach the true History through the distance of place was quite altered, as in other Cases is too usual.

28. The Commonwealth upon his Decease, being tossed by the Waves of Tumult and Ambition, and ready to perish, one *Flavius Chindafuinthus* by force of Arms made himself Master of the Helm, for it's safety and Preservation as it happened. Having illegally and Tyrannically invaded the Kingdom, he governed it in a quite different manner, as one that desired to abolish the Memory of his coming in, by a constant Tenour of Justice and Moderation. He knew sufficiently how much the Countenance of a Synod would contribute to the Settlement of his Interest, and resolved as soon as things were ripe, as speedily as the Temper of the Nation would bear it, to call together such an assembly. But he durst not attempt it at first, he could not trust the Bishops, whom he knew much averse to what he had practised about the Kingdom, till by his Acts of kindness and good Government, he had taken off the edge of their prejudice, and had at least laid the Foundations of their good Opinion towards him. Having done this, in the sixth Year of his Reign, some say the fifth, he summoned the seventh Council to *Toledo*. He so effectually did his business by this and other Expedients, that what had proved fatal not long since to one of his Predecessours, he durst Attempt with all Confidence and Alacrity. After he had governed alone for the space of six Years eight Months and twenty Days, as some compute, he declared *Flavius Recefusinthus* his Son his Associate in the Kingdom. After this he lived three Years four Months and eleven Days, which time is reckoned to his Sons Reign, (by reason that he governed all in the extreme Age or Dotage of his Father) and died at *Toledo*, some say of a natural Distaste, others by Poison. His Body together with that of his Wife *Richberga* was buried in the Monastery of *St. Romain*, upon the River *Du-*

De tempore Sisenandi Paganis, Lucas Tudegisi, alii differunt, alii differunt, Antiquis, ut ex Recefusinthus Span. Velasquez Mariana.

rius betwixt *Taurus* and *Tordeysida*.
29. *Recefusinthus* obtaining the Kingdom by Succession, was the more concerned to take Care how to keep it in the Possession of his Family. He used the same means his Predecessours had done, assembling the Bishops and Nobility for the Settlement both of Church and State. For the Reader must take Notice, that these Councils, though commonly they be esteemed merely Religious meetings, were indeed the *Comitia* or General assembly of the Nation, Lay-Persons meeting and Voting in them as well as Ecclesiasticks, as in the first which this King called together commonly known by the Name of the Eighth Council of *Toledo*, we read of fifteen

R r r

Sect. 2.
Who calls the
eighth Council,

And ninth at
Toledo.

Subdues the
Viscons.

And dyes.

Wamba chosen
King.

But against his
Will.

The Viscons
new their Ho-
stilities.

A Conspiracy
in the Gothick
Gall against
him.

fifteen Counts and illustrious Persons, that joyned with the Bishops and Abbats. Whereas other Princes had usually got some Decrees in their own behalf for the enlarging or strengthening of their Authority, he to please the People and preserve his Title, which he was conscious was illegal, parted with something whereof his Father had stood possessed, a Regulation of Tributes, and Exactions being made for the ease of the Subject, who in times of disturbance had been oppressed, and not eased in time of Peace, Impositions once laid on being very seldom taken off in any Government. Two years after another meeting was held, called in Books the ninth Council of Toledo, upon the like occasion, and for the same reasons as the former, as also in the year that followed another meeting which bears the Name of the tenth. Not only did *Recceswinthius* provide for making of new Laws, but revised the old ones, which had been depraved by the Injury of time, repealing many and adding more as appears from the Volume it self, wherein the Laws made by this Prince, exceed in number all the Sanctions of the other Kings. All these matters related to Peace, but he shewed himself as fit for Military Affairs. For he repressed the Insolence of the *Vascons*, who again made Incurfions into the Neighbouring Provinces and obliged them to rest in obedience, and duty as before. He died after he had Reigned twenty three Years six Months and eleven Days, the time he Reigned with his Father being computed, and was buried as some write in his Village then called *Gerricos* and now *Bamba*.

30. The Kingdom of the *Goths* which exceedingly flourished in his time, was by his Death reduced into a very tottering Condition, the effect of its Constitution for being not settled upon any Family, but still Elective as it seems they would have it, notwithstanding the late precedent of *Recceswinthius*, the hopes and Ambitions of the several Competitors drove all into Faction and Disturbance. To put an end to these mischiefs, the Nobility made choice of one *Bamba* or *Wamba*, a man very well accomplished for the place, but so prudent as to foresee the danger of it. He earnestly desired to be spared, and so long till a certain Nobleman drew his Sword and vowed if he would not be King, he should be no more a man: Yielding to the Threats rather than the Prayers and Desires of the Nobility, he yet refused to be Crowned before he came at Toledo, hoping in the mean time their minds might change, or so to compose differences, that he might take the Diadem with universal assent and security. After he had taken the usual Oath to maintain the Laws and Liberties, and was anointed by *Quiricus* the Bishop of the place, a Vapour is reported to have risen from his Head, and a Bee to have flown up aloft, which passage might have more seemed fabulous, if *Julian* the Bishop of Toledo had not affirmed it in the Book he wrote of the War of *Narbon*. He was born in that part of *Lusitania*, which to the ancients was known by the Name of *Igeditavia*, where there's yet a Town extant and called *Idrovia*, and a piece of Ground wherein is to be seen a Fountain inclosed with square stone, which bears also the Name of *Wamba*; the Inhabitants believing, that the Ground was formerly in the Possession of this King. Some reported, that he was an Husband-man, and by extraordinary Designment and Revelation was drawn rather than led to be King, but this seems no other than a Fable, none of the ancient Writers making mention of any such matter, which being so remarkable, they would not have passed over in silence.

31. No sooner was *Wamba* fixed in his Seat, but News was brought him which shewed his apprehensions of trouble and danger not to have been vain or frivolous. The *Vascons* incouraged by the differences raised about the Succession renewed their Hostilities, which caused him to raise an Army with all speed, and suppress the mischief e'er it too far proceeded. As he employed himself herein on the Borders of *Cantabria*, a matter of more dangerous Consequence was brought to his Ear, that a great Conspiracy was made against him in the *Gothick Gall*, by such as envied him the Royalty. The Head of this Conspiracy was *Hilderick* the Count of *Nemanfus*, who presuming upon the great distance of place, and his great power in these parts, drew in *Gumild* the Bishop of *Magalona* and *Remigius*, an Abbat, both his Neighbours. *Aregius* the Bishop of *Nemanfus* refusing to joyn with them, was removed and banished into *Gall*, and *Remigius* put into his place. They turn now all things into Confusion: The *Jews* who had been banished they recall, conceiving they would not a little strengthen their Interest. *Wamba* as soon as he could conveniently sent one *Paul* against them, a *Grecian* as they say, both as to Birth and Fidelity, though a man of good Conduct, both in matters relating to Peace and War. He instead of extinguishing added Fuel to the Flame, eating deeply into

Confederacy

Calendis system-
bris ut scribit
Hodericus Tole-
tanus.
In Tertius Pa-
lentin.

Confederacy with the *Rebellious Goths*, and drawing to his party *Ranfendus* the *Tarraconian* Duke and *Hildigisus* called also *Gardingus*, a word denoting Magistracy and Power. By their Council and Assistance *Barcelona*, *Gerunda* and *Ausa* are seized in the entrance into *Spain*; and now they are for *Gall*, where they doubt not to be too strong for the King's Friends.

32. Being come to the City of *Narbon*, *Paul* calls both the Citizens and the Soldiers together, to whom he accuses *Agthebanus* the Bishop of the place, for having caused the Gates to be shut against him and his followers, as indeed at first he did, till satisfied more of his own Inability to contend with them, than of the righteousness and Justice of their Cause, he commanded that they should be admitted. He endeavoured to prove it Lawfull, to renounce obedience unto *Wamba*; who he affirmed was not legally chosen, but only by the rash adventure of a few Persons, and at length came to the point, that they should make choice of another, whom being legally Elected, they might as legally and Cheerfully obey, and follow, to suppress the Faction of the Usurper *Wamba*. Hereat *Ranfendus* not by chance, nor on a sudden, doubtless with a loud Voice and much Earnestness affirmed, that a more worthy Person than *Paul* himself could not be found, which was received and approved by divers that were there set on purpose; the confused multitude embraced it, and the Wiser sort in such Confusion and Danger thought it best for them to be silent. Then was *Paul* pronounced King, and the Crown set on his Head, which formerly *Reccared* had dedicated to *Felix* the Martyr, for the Rabble that promoted him, spared nothing, either sacred or prophane. *Hilderick* the first Author of the revolt was easily drawn in to own him, though he could have wished himself the Man; and so all the Cities of the *Gothick Gall* readily submitted, as also did no small part of the *Tarraconian Spain*, drawn by the Authority of *Ranfendus*. *Paul* now thinking himself secure, and swelling with the Pride of his high pre-erment, wrote Letters to *Wamba* full of opprobrious Language; and from them and the great Faction which now prevailed, some very rationally think, that the Fable proceeded of his being an Husbandman, and taken from the Plow-tail to wear a Crown, whereas he was of the prime Nobility of the *Goths*, and of highest place and Esteem with the former Kings.

33. *Wamba* upon notice of the Treason of *Paul*, called the Nobility together to consult what was to be done. Some were for marching presently against the Rebels, to prevent the farther strengthening of themselves, urging that Expedition in War doeth the greatest wonders. Others were for deferring the Expedition, till he could gather more strength by settling his Affairs, and increasing his Army, the weakness whereof was evidently seen in this, that as yet the *Vascons* were not fully reduced to obedience. He made choice of the former Course as the safer, both in respect of the Enemy, who if let alone might grow too formidable, and the minds of his own Men who being now full of Anger and Desire of revenge, he thought it not fit to let them cool; but incense them farther as he did, by laying before them as well the Horridness of the Rebellion it self, as the Miserie which their Friends underwent, that lived within the reach of the Usurper. By his words the Soldiers were so confirmed and animated to fight, that within seven days they quite subdued the *Vascons*, a fierce and warlike Nation, as a good beginning and Omen of future Victory. As such receiving it, with incredible Alacrity and speed they marched through *Calagunis* and *Osca*, into the Borders of *Catalania*, where they were divided into three parts; whereof one had Orders to make for *Castrolibya*, the Metropolis of the *Cerçetani*, another was sent against the *Ausetani*, and a third was Commanded to waste the Countrey lying by the Sea, the King himself marching after with a strong party, and executing Discipline severely against such as ravished Virgins, and made Depredations contrary to Command.

34. Coming to *Barcelona*, he took it with much ease, and reserved the Authors of the Revolt to punishment. *Gerunda* was delivered up by *Amator* the Bishop, who had received Letters from *Paul*, bragging that he would speedily be with him, and advising him to receive and own him as King, who should first be there; which having read, *Wamba* not improperly said, *He has Prophesied concerning us and our coming*. Thence after two days, they entered and passed the Straits of the *Pyreneans* without any Lett or Molestation, having taken by storm *Cancoliberis*, *Vulturaria* and *Castrolibya*, the plunder of which was given to the Soldiers, besides *Clasfara* a Town, as the Name declares, situate in the very Strait it self, wherein were taken *Ranfendus*, *Hildigisus* and others of the chief Conspirators. From *Sordonia* *Wittimir* fled, leaving it to the Conquerour, to bring News to *Paul*, who

Paul Usurps.

Wamba subdues
the Vascons.
Then marches
against the U-
surper.

Takes several
Towns, and
some of the
Conspirators.

Sect. 2.

who was all this while making Preparations at *Narbon*, and first thought to meet *Wamba* and give him Battle, but afterwards changing his Opinion, left that City to the Care of *Wittimir*, and betook himself to *Nemanfus* there to receive the Succours he expected from the *Galls* and *Germans*. The King being descended into the plain, staid two days to Rendelvouz his men, who were to come several ways over the Mountains. Then did he dispatch away four of his best Captains to reduce *Narbon* with Competent Forces, furnishing out moreover a Navy to block it up by Sea. The Land Army got first thither, and having in vain solicited the Inhabitants to return to obedience, took it by plain Force, and therein *Wittimir* who to their Summons had returned nothing but reviling words. The taking of this Town quite ruined the Faction, the People now beginning to reflect upon *Paul* and his Title, and to talk of the mild and peaceable Temper of *Wamba*. In the same Course of Victory were also taken by force *Magalona*, *Agatha* and *Biterri*, and therein several of the principal Conspirators.

35. *Paul* still kept himself within *Nemanfus*, a City in those times much flourishing with multitudes of Inhabitants, stately Buildings, and the strength of the Walls, as considerable as any other in *Gallia Norbonensis*; having many Monuments in it of the *Roman* Empire, and amongst the rest a spacious Theatre, which adjoining to the Wall served very well in the room of a Castle. Four Captains were sent before by *Wamba*, who being elevated with the late Success and good Souldiers, though not much skilled in what concerned Sieges, impatient of delay fell upon the Town as soon as they saw it, with the Force of thirty thousand Men, they brought along with them. No Courage, no Animosity futable to their several Concernments was wanting to either party, Night onely parting them for the present. But the besiegers retiring, those within thought themselves Victorious, and one of them in the heat of the fight insulting over the Kings Souldiers boasted, that shortly would arrive to their Relief, such multitudes of *Germans* and *Franks*, as would drive them up like Deer and cut their Throats. A small matter oftentimes in War administers occasion to some extraordinary Occurrence. The News hereof was sent to *Wamba* with Desire of speedy supplies, forasmuch as all hope of Victory was placed in expedition. He dispatches away ten thousand Men more, under the Command of *Wandemir*, who marching all Night reached the place the next day, before the Assault was renewed. At the sight of them *Paul* was quite out of heart, yet made a Speech to his men full of Words, signifying Confidence and resolution; and the storm was renewed with great fury, which pertinaciously continued till the day was far spent, and the besieged were quite tired out. Then did the besiegers scale the Walls, set fire to the Gates, and batter the Walls. At the entry, the Citizens and *Franks* imagining, that the Town was betrayed by such *Spaniards* as *Paul* had brought along with him, to gain pardon from the King, fell upon and killed many of them. Being therefore beaten down and slain before by the King's Souldiers, and behind by their late Friends within; this promiscuous slaughter afforded a miserable Spectacle, nothing being to be seen but Bodies weltring in their Blood, to be heard, but the Groans of dying Men, the shrieks of Women, and the miserable crying of Children in all places.

36. *Paul* who had been the Cause and Author of so great a Calamity, putting off his Robe retired with a select Company to the Theatre, where trusting to the strength of the place, he resolved to obtain honourable Terms, or to dye Courageously upon the spot. It's observed of him, that he put off the Royal Ensigns the very day of the Year, namely the first of *September*, whereon *Wamba* at the instance of the Nobility had put them on. Part of the City being taken, the Officers would not proceed till the King came, that he might have the Honour of the Conquest. The Townsmen thought fit to fend out *Arbezunda* their Bishop to mediate for their pardon, who meeting him four miles off from the City, on his bended Knees with Tears and Lamentations, endeavoured to mitigate his Anger, which in great measure he effected. For *Wamba* triumphantly entering the City, which now yielded wholly to him, *Paul* himself and above twenty other Officers, notwithstanding his former resolution submitted to his Mercy. He pardoned the multitude, and took three days time to consider how to punish *Paul*, and his chief Adherents, in the mean time taking Care for the cleansing of the City, and the repairing of the Fortifications on that side, that lay toward the *Franks*, who were reported to be on their way, with a design to have raised the Siege. Some of that Nation and of the *Saxons*, who had either remained there as Hostages, or had been drawn in to side with the Rebels at the beginning,

At last *Nemanfus*, wherein the Usurper was.

Sect. 2.

he sent away not empty handed. The three days being past, he mounts a Throne more elevated than usual, and the Prisoners are brought before him. He first trod upon all their Necks, and then demands of *Paul*, whether by any Injury he had been provoked to contrive this wicked design against his King and Country. He denied he was at all injured, on the contrary affirmed he had received much kindness from the King. Then was his oath of Allegiance to *Wamba* recited, and the oath which he exacted from the People at his Usurpation. Then was pronounced the Sentence against Rebels, according to the Laws of the Councils, viz. "Ignominious Death, with the Confiscation of all their Estates, with this Promise, that in Case the King had pardoned them their Lives, yet they should at least be deprived of their sight. Yet did the King out of his innate Clemency and desire to win the affection of the People, inflict no other Punishment upon them, than to cause their Hair to be cut off, which in those times was taken for the chief Mark and token of Nobility.

37. All this while *Chilperick* King of the *Franks*, was reported to be at hand with a considerable Army. He thought fit therefore, to stay and expect him for some time; but having staid four days to no purpose, he concluded he had done enough, both for the reaping the Fruit of the late Victory, and his own Reputation, and left by provoking the *Franks* he should seem first himself to have broken the League, he resolved to prepare for his removal out of *Gall*. But while this was in hand, News was brought him, that one *Lupus* a Captain of the *Franks* visited the Country about *Biterri*, which obliged him to move towards him with his Army, although it did not much retard his Journey. For the Rovers hearing of his coming in a confused manner fled to the Mountains, leaving their plunder behind them, so that the *Gothick* Army had nothing to do, but to kill and take pillage, wherewith enriched, it marched back to *Narbon* without having received any wound. Hence part of it was sent to re-inforce the several Garrisons of the Country, and the rest of it being commended much for Valour in a Military Oration, was disbanded at *Canaba*, a Town belonging to *Narbon*. The King returned into *Spain*, and in great Triumph entered *Toledo*, the sixth month after he had thence departed, with mighty Honour for his late Achievements. The Rebels went before upon Camels, with their Heads and Beards shaven, in ragged Clothes: *Paul* in greater derision wearing a Crown of black Leather. The King's Souldiers followed after very well clad, and carrying Joy and Triumph in their Countenances, the King himself bringing up the Rere, and by his reverend gray Hairs, and the Reputation of his late Actions increasing the Majesty of his Royal Office. The whole City ran out of the Gates to meet him, and astonished at the Spectacle followed him with their lucky Acclamation; and the Solemnity ended by conducting the Criminals to perpetual Prison.

Wamba returns victoriously to *Toledo*, with his spoils and Captives, who are condemned to perpetual Imprisonment.

He fortifies the Town.

38. *Wamba* being now at rest and secure as to Foreign matters, applied himself to the enriching and adorning his Kingdom, that it might reap the Fruits of that Peace which at present it enjoyed. His Royal seat of *Toledo* he enlarged and compassed, With a perpetual Wall, as one terms it, reaching from the Suburbs of *St. Isidore* to both the Bridges. For this City is more than three parts of it washed by the River, which betwixt exceeding high Banks runs headlong amongst the Rocks and Stones. The other part of it has a most difficult access from the Plain, being before the time whereof we write, fenced with a narrower Wall, the remains of which were to be seen in the time of *Mariana*. Now by the diligence of *Wamba*, were the Suburbs taken in, and to make it more sure, a lower Wall was added to the former, Marbles which were taken out of the *Roman* buildings, being to be seen in it, wherein are engraven Images representing *Wheels* or *Roses*, thought by the Vulgar to have been *Wamba* his Arms, but erroneously, forasmuch as they are placed in no Order at all, but confusedly as they happened to be brought to hand. But in a certain Tower he caused some * Verles to be engraven, as a Testimony of his publick Spirit, and as his Monument to posterity; and on the tops of Towers erected statues to some of the Saints, of white Marble, to which as *Tutelaries* or Patrons, by other † Verles, he recommended the City, which Verles being obliterated, and the statues decayed and fallen down by the force of that, which brings to a Period all sublunary things, Philip the second King of Spain, in the last Age commanded to be repaired.

39. *Wamba* his delight in things of this Nature, was at last interrupted by a report of a mighty Fleet of *Saracens*, coming out of *Africk*: For this People having in a manner Conquered all that Country, with no fewer than two hundred

* Erecti sunt Des Rex indigne ubi *Wamba*, sua celeberrima protendens genitricis Honorem.
† Per Domini Sancti, quorum his praesentia fulget, statu, ubi *Wamba* suum solitum habitavit.

Sect. 2.

Is poisoned by Ervigius.

Is poisoned by Ervigius.

Turns Monk.

Ervigius obtains the Kingdom.

He calls the Council.

And thirteenth Council of Toledo.

Cap. 5.

hundred and seventy Ships infested the opposite Coasts of Spain, against which Wamba making as early opposition as he might, rigged up his own Fleet, and manned it out with so resolute Souldiers and Seamen, that they quite defeated the Saracens, and either took or burnt all their Ships. Some, and not without reason, suspect, that by the ambitious practices of Count Ervigius this Fleet was brought against Spain, to make way for his promotion, by the destruction of Wamba. In the Reign of Cindasvintus one Ardanastus being banished by the Emperor his Master, came out of Greece into Spain, and committed himself into the hands of the King, who kindly entertained him, and gave him to Wife his own Kinfwoman. Of this Marriage was born Ervigius (or Eringius as some call him) who being brought up at Court, could not content himself with the Title of Count, but aspired after the Regal Diadem; of compassing which, he was not without advantages, being in great favour with the Nobility, which he both got and preserved by his affable carriage and humour, well accommodated to the temper and disposition of the times. Yet knowing he could not accomplish his desires so long as Wamba lived, nor yet after his death, if the Nobility should be allowed a free choice, because Theodefred, the Brother of Reccevinthas was still living, who had at the last Assembly been only omitted for his tender Age, he resolved in some extraordinary manner to attempt it. The business of the Saracenian Navy having miscarried, he procured poison to be given to the King, who falling thereby into great torments and danger, when he now seemed ready to give up the ghost, had his Hair cut off, and put on the habit of a Monk by the persuasion of Ervigius, who when his head was light and intoxicated by the force of the poison, easily procured him to nominate him his Successor, which was done by a Writing sealed with the King's Seal. Ervigius persuaded him to take the Habit, hoping by that means to unking him, though he should recover. And he was not mistaken in his Apprehensions, for Wamba the next day coming to himself, yet resolved to accept of the Religious kind of life, either through his greatness of mind or despairing to re-settle himself; Ervigius having in this time, in a manner, seized on the Sovereignty: Therefore did he betake himself to a Monastery in a Village called Pampliga, where he most devoutly spent the remaining part of his life, viz. seven years and three months, or as others say above. He reigned eight years, one month and fourteen days.

40. Flavius Ervigius thus by indirect means obtained the Kingdom of the Goths, and knowing that things ill got seldom prosper, set himself with the greater care and industry to the preservation of it. He remembered that in such cases as his, and at a dead list Religious Pretences had done wonders, and therefore he will be as zealous as any of his Predecessors, the Cause of Religion and Privileges of the Church are now much in his mouth, as most dear unto him, for which purpose he must also call the Fathers together. The Fathers loved to meet one another often, and being easily made to believe that Wamba resigned his Crown to Ervigius, confirmed out of gratitude and prudence the possession of it to him, for they wisely concluded that it was good sleeping in a whole skin; and why should not they submit to Providence, and own him that was in possession? To this they were more induced, or as we may say, hired by a privilege granted by this Usurper from the Crown, that whereas heretofore it belonged to the King alone to make Bishops, he granted it to the Archbishop of Toledo. Scarcely were two years passed and gone when he calls them together the second time to make farther provision for his good Government. In this Meeting of Ecclesiasticks and Seculars, which is called the Thirteenth Council of Toledo, an Act of Oblivion passed for such as had taken part with Paul the Usurper, and because little money was stirring, and too heavy burthens lay on the People, certain Impositions are taken away, and the Arrears forgiven: For now (as in all such cases of Usurpation, Usurpers ever making best Laws) not the King, but Ervigius was concerned, the Controversie was not whether the Privileges of the Crown be maintained, but whether the House and Family of him that wore it was to be preserved. Whereas men of mean Parentage, had by indirect practices crept into places of Dignity and Honour, and the Blood of the ancient Nobility of the Goths was even quite imbedded by promiscuous and unequal Marriages, care is taken for prevention hereof for the time to come. To these was another Law added in favour of Limbingtona the Queen and her Children, to protect their Persons and their Estates; that they might not feel the effects of that Popular Scorn and Indignation which they had too good ground to fear, might fall upon them after his death.

41. All

* Ita quidem concilium fuit in nomine Reum Hispaniarum Scriptores cum Alia Concilio Tolentini duodecimo in capite primo confirmata E. lictis Regis Ervigii & noster la Synodus testatur fuit et scriptis et testimonio consilii Ervigii cum a Wambae (ita enim appellatus) electum Reum antiquum se manifestavit Confessores et Confessionem ipsius ad eorum Regis Juliano Praesuli studio Commendamus.

In Absconditum? an pro Burgundis videtur?

Sect. 2.

And fourteenth Council of Toledo.

And as much as in him lay provides for his family.

And dyes.

Egica succeeds.

Who Summons the fifteenth Council of Toledo.

The Archbishop whereof conspires against him.

But in the sixteenth Council summoned by Egica, he is punished accordingly.

41. All this Provision yet did not satisfy the mind of Ervigius, but the following year he must Summon another Assembly, which is called the Fourteenth Council of Toledo, a good occasion being presented of confirming the Acts of the Sixth General Council held at Constantinople. Besides the trade of Councils whereby he knew that he obliged the Ecclesiasticks (the best part of the State) more than by any course he could take, he resolved to provide farther for his Family by an Alliance with the Family of Wamba, Marrying his Daughter Cixilo to Egica, the Kinfman of the injured and deceased King. He took an Oath of him, that in case of his death he should by all means possible procure the quiet and safety of the Queen his Mother-in-law and her Children, not suffering any one to invade the Rights or Estates of the Orphans. His Family being settled, as well as in prudence he could devise, he set himself to the amendment of the Laws, repealing several made by Wamba as too severe, especially that concerning the Raifing of Souldiers. And so at length he died of Sickness at Toledo on the thirteenth day of November, being Friday, A. D. 687. after he had reigned seven years and five and twenty days, notwithstanding all his endeavours bearing the Title of Famous, rather than Honest (or of Good Report) to posterity, although the Commendation of Clemency and Liberality much practised by him are wont to cover very great faults. In his days Spain was sorely vexed with Famine, which gave him a very fit occasion to be Popular for his liberality. The Walls and Bridge of Emerita were Magnificently repaired.

42. The day preceding his Death he declared Egica his Successor, absolving the Nobility from the Oaths they had taken in his own behalf. Egica being anointed and confirmed in his seat, could not persuade himself that his Predecessor and Father-in-law had by his late Acts of kindness to him in particular made amends for the grand injury offered to his Family; but thinking it most just and auspicious to begin with revenging its Cause, put away Cixilo his Wife, though he had a Son already by her named Witiza. Some have believed that Wamba, being yet living, persuaded him to do the thing, having some sparks of Malice and Revenge yet covered under his Religious Zeal. Some of the Nobility also, by the means of whom Wamba had been so handled at his Imprisonment, were punished as they had deserved. Except this leachery of Revenge be accounted a stain in his Eucharistion, Egica may pass for one of the best, wisest and most moderate Princes, being a Person very well accomplished both for the Arts of Peace and War. He was not wanting to himself in that secret of his Predecessors of Cajoling the Churchmen, but Summoned the Fifteenth Council of Toledo. Here he propounded a great Cause of Conscience, and prayed he might be effectually resolved. He had taken an Oath to protect the Wife and Children of Ervigius in their Lives and Fortunes; but so the case stood, that much of their Estates had been unjustly got; whether then might be not dispenise with his Oath in relieving such as had been unjustly oppressed? To this it was gravely answered, That the ties of his Oath ought not to be so sacred as to hinder the execution of Justice; he being doubtless left Judge to determine matters of Fact and Right in things respecting Persons he so greatly hated.

43. Against him conspired Sabert, the Archbishop of Toledo, a man of an haughty and aspiring humour, nothing bestitting the Place or Dignity which he bore in the Church. To his Ambition was not wanting the necessary Concomitants, viz. Diligence and Courage, which he employed to such purpose, that the Kingdom being by reason of the difference about Succession full of discontents and factions, he drew into the Conspiracy both a great Number of the Nobility and others. He drew to his Assistance the Franks also, with whom the Loyal Goths fought three Battels, and every time came off with los, though by the injury of time we are deprived of the Account of the Number of the slain, and the particular Accidents on both sides. This we know, that the External difficulties Egica removed, by applying an effectual remedy to the inward distempers. Sabert had not cajoled his Brethren the Bishops, either out of his pride disdainning to stoop to his Inferiours, or because they emulated and scorned his towering Imaginations. The King therefore calls them together the second time to that Assembly which bears the Name of the Sixteenth Council of Toledo, by the Decree of which Sabert is deposed, banished his Countrey, deprived of all his Estate, and so excommunicated as not to be Absolved, except in articulo mortis, according to the Provision of the Ancient Canons. For greater security of the King and his Successors, it is farther ordained, "That what Religious Persons sower, of any Religion, Order or Degree, should be guilty of such a crime, should be subject to the same penalties.

In

Sect. 2.

In this Synod the *Gothick* Laws were more diligently revised than formerly, and Prayers were ordered to be made every day in all Churches for the King's Person and Issue, which we may perhaps exemplify in a more proper place.

44. The year following was held at *Toledo* the seventeenth Council, wherein the *Jews* being said to have conspired with their Brethren of *Africa* for the destruction of the Kingdom of the *Goths*, were condemned to perpetual slavery, and their Children, when seven years old, ordered to be taken from them, and brought up in the Christian Religion. Provision was made for *Cixilo*, though put from her Husband, as indeed care had formerly been taken for all Queen-Mothers, that after the death of their Husbands they might enter into a Monastery. *Egica* having reigned ten years by himself, took his and her Son *Witiza* to be his Partner in the Kingdom; but left a continual society should beget unkindness and differences betwixt them, sent him to govern the Kingdom of the *Suevi* in *Gallicia*. In *Spain* were extant not long since Coins stamped with both their Names, and in that Countrey in a pleasant Valley near to the City *Tuda*, abounding with Oranges and Limons, was lately to be seen the Ruins of his House of Pleasure, that City being appointed the seat of his Kingdom by his Father. To this place was Banished *Fasila*, the Duke of *Cantabria*, the Son of *Cindaquinth*, for fear of Commotions upon his Account. *Witiza* was no sooner come, but he fell into a liking of his Wife, as she also did of him, and amid their impure embraces it's resolved that *Fasila* dye, which he did by a blow on the Head given him by *Witiza*, near the River *Orbicus*, *Lucas Tudenis*, *Rodericus Tudenis*, in a Town called then *Duodecim Manus*, now *Palatium*. This *Fasila* was Father to *Pelagius*, the Restorer of *Spain*, as we shall see anon.

And makes his Son *Witiza* Partner in the Kingdom.

Egica dying, *Witiza* his Son succeeds.

His character.

He allows Polygamy.

Disarms most of his Subjects.

45. Five years after his being made King of *Gallicia*, *Witiza* succeeded his deceased Father in the entire Kingdom of *Spain* and the *Gothick Gall*. At the beginning of his Reign he notably covered his vicious inclinations, and dissembled that Humour which in time came to rage in him. He recalled such as had been banished, and restored them to their former Interests; He commanded the Records of Offences committed in turbulent times to be burnt, that no memory might remain of them, that no Infamy or other punishment might follow them. But by his following Actions he endeavoured to render all Acts of Sobriety and Clemency ridiculous, fully giving himself up to the Power and Sovereignty of those temptations, which accompany a youthfull Age, backed with Supreme power and affluence of all things. He delivered up himself, as all such doe in this case, into the hands of Parasites, by whom being encouraged, nay thrust forward into all sorts of Lusts, he left nothing of extravagancy unpractised, and openly shewed that a fear of his Father, and not dictates of his own Conscience had kept him from running hitherto into all excess of Riot. He took many Wives, and more Concubines; and to propagate the mischief, made a Law, "That it should not only be lawful for the Common people and Nobility to doe the like, but for Church-men also; which liberty, suiting with the corrupt inclinations of man's nature, was taken by many. As in his Father's time he had begun to root out the Race and Posterity of *Chindaquinthus*, so now he thought he had much more reason to accomplish it, because that those who could not like his courses, cast their eyes upon those Princes as the onely surviving hope of the *Gothick* Nation.

46. *Fasila* or *Favila* he slew, as was lately mentioned. There was another Brother of *Chindaquinth* yet living, the Brother of King *Recceswinth*, viz. *Theodfred* the Duke of *Corduba*, where he lived a retired life, in a Palace there built by himself, on purpose to shun the Envy and Jealousie of the Court. This *Theodfred* he procured to be deprived of his sight, and would so have treated his Son *Roderick*, as also his Nephew *Pelagius*, the Son of *Favila*, but that they happily escaped the Tyrant's hands. Knowing the People to be much incensed by his lewd practices, to render their Anger and Indignation vain, he resolved to disarm them, and therefore under a pretence of Peace caused the Walls of all the Cities of *Spain* to be razed except those of *Toledo*, *Leon* and *Astorga*, which he either thought he might trust, or rather feared to provoke them. *Roderick* the Archbishop of *Toledo* adds, that he took from his Subjects the use of Arms, that they might be in no capacity to resist him, but another ascribes this Practice to *Roderick* his Successour. To these crimes he added the Restitution of the *Jews*, who had been so solemnly banished, giving them greater Privileges than ever, and violated those of the Church, murthering *Sindered* Archbishop of *Toledo* out of his Chair, and putting in by force *Oppas*, whom most make his Brother, and some his Son. To his life such an end happened as was most just and agreeable, though as to the manner of it, Authors do not

Lucas Tudenis.

Oppas all agree.

not agree. Some tell the Story how *Roderick*, the Son of *Theodfred*, flying from that mischief which had overtaken his Father, went to the *Romans*, and from them obtained forces for the suppression of the Tyrant. Whom having defeated and taken in battel, he used in the same manner his Father had been served, putting out his Eyes, and confining him to *Corduba*. And there have not been wanting who ascribe this Act of Revenge to *Costa*, the Brother of *Roderick*, whom they affirm to have reigned five years, whereas neither the Account of time suffers any such thing, neither have *Isidorus Pacensis*, *Lucas Tudenis*, *Rodericus Tudenis*, or King *Alfonso* the Tenth, the best Writers of the *Spanish* History, placed *Costa* in the Catalogue of *Gothick* Kings, nay so much as made any mention of him. Those Writers who for Number and Diligence exceed others, affirm that *Witiza* died of Sickness at *Toledo* in the tenth year of his Reign, leaving two Sons, *Eba* and *Sisebute*, the Title of whom while most maintained, and others opposed, it involved the State in great Calamities.

Dies.

47. Yet had these Calamities an higher rise than from the Titles of these Ambitious Princes. The fate of the *Gothick* Monarchy now pressed heavy upon it, and this fate was enforced by that which causeth and precedeth the Ruine of all States and Empires. When Kingdoms once come to an height by the force of Arms and prudent Conduct, ease and wealth beget sloth and luxury, which at length wholly enervate the minds of Princes and People, and procure the overthrow of that Dominion which their Ancestours with so great expence of blood and treasure had raised. Such was the condition of the *Goths* of *Spain* at this time. Their minds and bodies were both enervated and out of order; for all their time they spent in drinking, eating or whoring, the Prince had no care of the State, the Nobility thought they might justly follow his example, and the Common sort could not but write after such Copies. Hence lay they exposed to all sorts of Seditions, like drunken men, fit to quarrel with one another, but not able to grapple with any bye-stander or looker-on; so that that Empire and Dominion which had been obtained by their Forefathers, who had made all Countries where they came to tremble before them, now became the bait of Foreigners, and an easy prey to those that would but adventure for them. Yet *Roderick*, who by the Suffrages of the Nobility, as many believe, had ascended the Throne, gave not any great occasion at first to cause the most considerate sort of men to despair upon his account; for he was endowed with many notable qualities both of mind and body. He was a man fit for business. Of an able head to contrive, and a resolute heart to execute, aspiring after the greatest things, and excelling in Acts of Magnificence and Liberality: He had a body fit for such a soul, most able to inkounter all difficulties attending labour, hunger and thirst, heat and cold in their extremity. But these Vertues were equalled by as great Vices, which appeared upon his preferment to the Crown. He never forgot any Injury, was most Intemperate in his use of Women, and as if the Crown had infected his head with the disease of his Predecessour, became so indiscreet in the management of publick business, that he resembled *Witiza* more than his Father, or any other of his Ancestours.

Roderick chosen King.

His character.

He is severe towards the Sons of *Witiza*, who with others conspire against him.

48. Having, as he thought, settled his Affairs, he applied his mind to the enlarging and beautifying of the Palace in which his Father had lived near to *Corduba*. On his Cousin *Pelagius* he had pity, as involved formerly with him in the same calamity, and recalling him from Banishment, made him Captain of his Guard, an office at this time of greatest Dignity and Honour next the King. But the hatred he had of a long time conceived against *Witiza*, he could not now conceal nor forbear to turn it upon his Sons, but put all the affronts and disgraces he could possibly upon them, which not able to bear, and suspecting they would at length end in extremity, they thought it safest for them to quit *Spain*, and passed over into that part of *Africa* *Ungitana*, which then was subject to the *Goths*, commanded by *Regula* the Count, the Deputy, as is believed of Count *Julian*. This *Julian* married the Sister of *Witiza*; and after the death of *Favila* and the flight of his Son *Pelagius*, who had executed the place, was made by him *Protospatarius* or Captain of the Guard. Now he was Governor or Lieutenant of that part of *Spain* which lies next to the *Herculean* Straits, from which there is shortest passage into *Africa*, and was possessed of many Towns thereabout, so that for Wealth and Power he gave place to no *Gothick* Subject, and became formidable even to the King himself. The Sons of *Witiza* being so greatly provoked in their passage, began to entertain secret intelligence with him and others, for changing the face of Affairs, and ousting *Roderick* of his Government, *Oppas* the Archbishop their Un-

Sect. 2.
Rodericus Tudenis.

Julian was not.

Se^ct. 2. cle being conscious, who by his birth and his present great Wealth and Authority could doe much ; and their party was increased by many of the Nobility and others, who either desired to be revenged for former injuries, or gaped after Innovation upon the Hope of future profits and advantages.

49. *Roderick* lying under these disadvantages, and threatened by the danger of such an Alliance and Conjunction, though he could not be so foolish as to be utterly ignorant of his Estate, yet neglected them when he might have suppressed their danger in the beginning. But he was so far from healing the wound by any proper and effectual applications that he widened, and by a fatal Act of lust and violence made it deadly and incurable, provoking his Enemies to put in practice that horrid piece of revenge which hitherto in their minds they had but devised. It was the custom of *Spain* in those times that the Children of Noblemen were brought up at Court. Their Sons waited on the King at home, and followed him in his Wars, by which means were bred many eminent Captains. Their Daughters in like manner served the Queen, learnt to Sing and Dance, till being fit for Marriage, they were bestowed according to the quality and discretion of their Parents. Amongst these Maids was *Cecilia*, the Daughter of Count *Julian*, a Virgin of extraordinary Beauty, who, upon the same time as she was playing with her equals, chancing to uncover her Body farther than usual, the King then looking out of a Window, desperately fell in Love with her. Nothing else doth he now meditate, on nothing else he looks, and each look doth not allay, but increase his grief, sending fresh darts of lust and fury into his heart. At length he gets an opportunity, and enjoys her by force, when neither intreaties nor commands, promises nor threats could procure a compliance.

50. The Maid boiling with the Rage of hatred and revenge, as much as ever he did with that of brutish lust, writes to her Father, who was then sent upon some extraordinary Errand into *Africk*, in modest expressions telling him what had happened, and by as pathetic as she could, exciting him to revenge. This was no hard matter to do, considering how he and his Relations stood formerly affected. He returns speedily into *Spain*, and being an extraordinary Artist in Disimulation, gets him to Court, where he betrays not the least sign of sorrow or regret, but gives his Attendance with as much diligence, and as smooth a countenance as ever; and is admitted to all secret Councils as formerly, something out of respect to his own Merits, but much more out of Love unto his own fair Daughter. He takes his time, and insinuates to the King, that sofar as much as *Spain* was now in perfect peace, and the *Franks* and *Moors* did often molest the Countries bordering upon them, he would fend all his Horfes and Arms into *Gall* and *Africk*, where they might do service against the Foreign Enemy, rather than lye idle and rusting at home. Having persuaded *Roderick* to do it, and see the thing performed, he then pretends that his Wife left by him in *Africk* was there sick, and that nothing but the sight of her Daughter, whom the dearly loved, could recover her. With much ado he obtained leave for her to cross the Sea, and they took Ship at *Malaca*, where there is an Haven bearing the name of *Cava*, which Tradition will have to have been so called from this Lady. In the mean time *Roderick*, as some have written, by his Covetousness and Curiosity makes preparations for the meeting and hastening of his intended ruine, by opening a certain Palace in *Toledo*, which was made up fast with the strongest Locks and Irons that could be devised, because at the opening thereof the Destruction of *Spain* was portended to follow. He could not be brought from believing that vast Treasures by the provident care of the former Kings were there deposited, and his curiosity to see could not be overcome by the prayers and intreaties of all sorts and conditions of men, who out of a Religious respect abhorred the thought of opening the Palace. But no treasure was found therein, only a Cheft with a Cloth, whereon were painted the strange and uncouth faces and habits of men, with an Inscription, whereby was signified, that *Spain* should be shortly after conquered by those to whom such viſages and garments then belonged. Both the habits and faces seemed to be those of *Moors*, whereupon the King and Nobles were fully persuaded, that the mischief threatened was to come from *Africk*, and he too late repented of his unlucky curiosity. Some much contend for the verity of this Story, others condemn it. A third, some say the wisest fort shew an indifferency both as to the one and the other part.

51. *Julian* having conferred with his fellow Conspirators in his way, crosses the Straits into *Africk*, and betakes himself to *Muzza*, who being a man of prompt boldness, and very facagious, governed *Africk* at this time as the Lieutenant of *Ulit*, the

the *Miramamol* or chief Prince of the whole Nation of the *Saracens*. He tells him a long Story of the unufferable Tyranny of *Roderick*, intances in the Sons of *Witiza*, who were in a destitute condition through his ill usage, forced out of their Native Countrey. He lays open to him the whole State of *Spain*, with the effects of obtaining it, by which a way would be opened for the Conquest of all *Europe*, to which it stood hitherto as a firm Rampart; in conclusion, he offers if he might have, though a small yet a speedy assistance to bring this about, having very many of the Nobility at his Beck, and being Governour on both sides the Straits over which the Forces must be conveyed. The Barbarian was not displeased to hear of Conquering *Spain*, he only doubted of the means to compass it, having the fidelity of a Christian in fuspicion. Communicating the Design with the *Miramamol*, he thought it not amiss to try *Julian* first with an inconsiderable Force, and either supply him with more, or rest there as he should see occasion, the rather because he had work enough for his men in that large Province. He sent him an hundred Horse and four hundred Foot, which waiting and plundering the borders of the Continent and the Islands, when he saw that the thing succeeded according to his wish, at the farther Instance of *Julian*, and under Conduct of one *Tariff*, firnamed *Abezencara*, who had but one eye, he Shipped away twelve thousand more in Vessels belonging to Merchants, the better to prevent discovery.

52. With these the said *Tariff* or *Tarac*, the Son of *Atudalla*, seized on the Hill *Calpe*; and hence the City *Heraclaea* standing upon it, received the Name of *Gebalariff* (now *Gebalrarr*) from *Tariff* and *Gebal*, which in the Arabian Tongue signifies an Hill; and a Neighbouring Town came to be known by that of *Tariffa*, * *Quam alii*
whereas it was in ancient times called *Tariffus*. *Roderick* understanding the *Moors* *Caritani alii*
were come over, thought feasonably to suppress them by sending away † *Sanctius* *Carthaginiensis*
with an Army. But such an Army it was, as from it one might ominously pre- *didam conve-*
fage what would be the Issue of the quarrel. It consisted of the Refuse and Dreps *dur. Vajano.*
of the People suddenly huddled together, having neither bodies nor minds fit for *† Altit Insuper*
such a business, impatient of heat, dust and bad weather, not at all disciplin'd, *Eneco & Insuper*
wretched Souldiers, and fully as wretched Arms and Horfes. This rascally Com-
pany coming to face the enemy, in all skirmishes came off fill with the worst, and
in a total engagement was at length quite baffled and defeated, having lost their
leader. * The Barbarians elevated by the success, quickly wasted *Bætica* and *Lusitania*,
taking many Towns, and amongst the rest *Elipalis* or *Sevil*, which by the wife
forethought of King *Witiza* had been deprived of its Walls and Fortifications. Having
done to great things, *Tariff* and *Julian* return into *Africa*, where they require of
Muza a greater supply of men, that they might give battel, and in one sight decide
the Controversie with *Roderick*. Leaving Count *Regnita* as an Hofsage, they ob-
tain far greater supplies than they had got before, while *Roderick* in the mean
time inflamed with the injury and disgrace, prepares warmly to receive them. He
summons in all able to bear Arms, under heavy penalties, the fear of which drew
together more than an hundred thousand men, with which multitude meanly ar-
med, and as ill provided of courage and skill, he marched into *Bætica*, and finding
the Enemy at a place called *Casarianum*, he fate down on the Plain by the River
Letbes.

53. Seven days they spent in Skirmishes, whether to try the Manhood and Resolution of their Souldiers, or whether they would venture for the main chance, or because each side watched for some fit advantage. The *Goths*, though necessity put some vigour into them, being to fight for their lives and liberties, yet were again dejected by sad thoughts prefiging the ruine and overthrow of their Kingdom. On the eighth day, which happened to be the Lord's day, the ninth of the *Arabian* month *Xazel*, the eleventh of *November* being the Feast of St. *Martin*, in the year of our Lord seven hundred and fourteen, they came to a total Engagement. The King seated in an Ivory Chariot, and clothed with a Robe of Cloth of Gold, as the custom of the *Goths* was, before they came to join battel, made an Oration to his Souldiers, wherein he, used arguments taken from Religion, and the ancient Valour of their Ancestours to make them valiant. *Tariff* was not wanting on the other side by those drawn from Necessity (the Enemy being before them, and the Sea at their backs) and the deplorable condition of their opposers to quicken the appetites of his men after wealth and honour. The *Goths* with Trumpets, the *Moors* with Brazen (or Kettle) Drums begin the fight, which lasts long, and continues dubious all the while. At last when he sees it convenient, *Oppa* revolts according to agreement, and carries all his men over to the Enemy, at which sight the *Goths* were so amazed,

S f f 2

that

Mariana Mira-
mamolin.
Job. Vases Mira-
molín, Roderico
Toletano Amira-
nomen. Inter-
pretatur creden-
tium Princeps.
In historiis Ara-
bum nunc Caliph-
dicitur, quod Ro-
mana Interpretat-
ione successores est

rs Carream alii
 us Mellariam prius
 e- dictam conten-
 gs dunt. Vassus.
 † Aliis Enecus,
 Eneco & Inachus.

A. D. 714

Sect. 2.

And the overthrow of the Goths with the ruin of the King and Kingdom.

that though they now seemed to have drawn fortune to their party, they cast away both their courage and weapons, and being slaughtered on all sides, ran away as fast as they could. The King having discharged the office both of an able Commander, and a valiant Souldier, when he saw all desperate, removed himself out of his Chariot, and mounting an Horse called *Orelia*, got out of the danger, as some say, though his Robe, Crown, and Shoes adorned with Gems being found by the River *Lethe*, others conclude more probably, that he was either drowned or killed in the battle, none knowing ever what became of him. Yet in a City of Portugal, called *Viseum*, was long after found a Stone with this Inscription: *Here lies Roderick the last King of the Goths. Cursed be the Impious fury of Julian because pertinacious, and his Indignation because extravagant. He was mad with fury, fierce with rage, forgot his Allegiance, was unmindful of Religion, a Contemner of Divinity, Cruel against himself, a Murderer of his Lord, an Enemy of his own Domesticks, a Destroyer of his own Country, Guilty in reference to all. Let his Memory wax bitter in every man's mouth, and may his Name rot for ever.*

54. And well he deserved such a Curse, who to his own particular revenge could once have such a thought as to sacrifice the entire interest of his Country. By this one battle were such a multitude of Goths destroyed, that Authors are at a loss, and can give in no certain account of their Number. It's certain that this one battle stripped Spain of all its Ornaments; that here the Name of the Goths was extinct, their Glory in War, the Renown they had got in former Ages quite defaced, and more than this, all hope for the future quite cut off, and that Dominion of theirs subverted, which had now stood for above three hundred years together. Unspeakable are the miseries which befell the poor Provincials, more miserable than other Conquered People in this respect, that their new Masters were Moors, whose Souls, by reason of their Mahometan blasphemies, were as ugly and frightful to them as were their Bodies. But the Moors, though with the loss of no fewer than sixteen thousand Men, are Conquerours, and now they are so prudent as to enforce the prosecution and improvement of their victory; such of the Goths as escaped from the battle, betook themselves to *Astiga*, a City not far distant, strong in its Walls, and the number of its Inhabitants. The Citizens full of sorrow and desperation, in a confused manner issue forth with them, resolving to give the Infidels battle, and if possible (who could know but it might be so) redeem the liberty of their whole Nation. But the success did not answer their zeal; they were defeated as before, and those that escaped, dispersed themselves into such places as they could most conveniently reach, not staying to see the destruction of their City, which followed its falling into the Enemies hand. Now by the advice of Julian were the Forces of the Moors divided into two Parties, whereof one was committed to the Conduct of *Magnedus* a Duke, a Renegade that had abjured the Christian Religion, and the other to *Tariff*, the Captain that first brought them over. *Magnedus* marched to *Corduba*, and easily took it, the Inhabitants being fled to *Toledo*, for a Shepherd conducted his men to a part of the Wall standing near the Bridge, which was not hard to be passed over in the silence of the night, when they had once killed the Sentinels. The Governour fortified himself in the Church of St. George, and held it out three months; after which flying away, he fell into the hands of the Moors, but his men fought it out to the last, refusing to yield.

55. *Tariff* in the mean time wastes all the rest of *Bætica* with Fire and Sword. *Menefes* he took by storm, and levelled it with the ground. Into *Malaca*, *Eliberis* and *Granata* he put Garrisons. The Governour of *Murcia* (then called *Oreola*) was worsted by the Moors, but being a very expert Souldier, put all the Women in the Town into Man's Apparel, and placed them on the Walls in such Numbers, that the Enemy thinking him yet very strong, gave him very honourable Conditions. The Jews now being confused amongst the Moors, had *Corduba* and *Granata* assigned them to inhabit, the Christian Inhabitants being driven into other places. *Toledo*, a City placed in the middle of Spain, and by situation impregnable, the seat of the Gothick Kingdom was after a Siege of several months taken, but the manner is not agreed on. Some say it was betrayed by the Jews, others that it was yielded up on very good conditions, as that such as would continue there might live after their own Religion and Laws, and such as would not, might take what they had along with them. The rest of the Cities, few excepted, speedily underwent the like fate with these already mentioned, which done, the Conquerours placed Garrisons where they thought convenient, for bridling the Natives, fastning the new yoke to their Necks, which will they will they, they must now endure. *Tariff* having

having done his work, brings his victorious Army, glutted with blood, and even fatiated and burthened with wealth, back to *Toledo*, there to pause a little, and consider whether they were not in a dream all this while, for they could scarcely believe that condition to be substantial and real at which they had arrived. Thus was Spain in a manner subdued about a year after the Arrival of the Moors, and at the same time we find that *Narbon* in the Gothick Gall was reduced also by that People.

Sect. 3.

S E C T. III.

The Dominion of the Saracens, Arabians or Moors in Spain, Contemporary with the Constantinopolitan Roman Empire.

From the Conquest of Spain by *Tariff* the Captain of Ullit Miramamolin, to the Reign of Abdeirakman the Second.

The space of One hundred and seven Years.

Spain in confusion.

1. THE Conquest of Spain was so sudden and surprizing, that those whom the Arms of the victorious Saracens had not as yet reached, were as men out of their wits, and so befot with fear, that they knew not how to consult for the good of their Country being dispersed abroad, and no one body uniting so as to make any considerable opposition. Particular Towns concerned only for their own safety, chose them Governours, for quicker dispatch and more effectual execution committing all things concerning both Peace and War into their hands. These Governours being thus absolute within themselves, and acknowledging no Superiour abroad, are upon this account termed Kings by some Historians.

2. The News of the Conquest flying over into *Africk* was very welcome, but yet not received with such joy by the Governour as the greatness of the Enterprize, and the consequence of the thing might seem to have required. *Muza* was glad that so Noble a Province was subdued, especially with so little charge and trouble, and that the Empire of the Moors was now propagated into Europe, an happiness they had had much more cause to wish, than to expect or hope for. He liked well of the thing, but disliked the man. It vexed him above measure that *Tariff* should be the instrument, that he himself should not have had the fortune to carry away the honour and profit of such an undertaking. Disturbed by the Passions of Covetousness, Ambition and Envy, he passes over into Spain with a fresh Army of Moors, consisting, say some, of twelve thousand. Being arrived, he consulted how to carry on the War. Some were for joining with *Tariff*, and finishing with his victorious Forces the remainder, but the fugitive Christians clofed with *Muza*, and persuaded him with his own strength to set upon the work. Count *Julian* now it seems being little in favour with *Tariff*, the reward at last of all Traitors and Betrayers of their Country being to be scorned and vilified as execrable Creatures by such as set them first on work. On *Adonia* he first made trial of his men, who took it by storm after great loss and labour. From thence they removed to *Carmona*, once the strongest Town of all *Bætica*, where toiling a long time to no purpose, *Julian* the Count, who was already too much engaged not to proceed, counterfeited himself a Fugitive; and being received into the Town, upon that account betrayed it to the Barbarian. This is the account that *Roderick* the Archbishop gives of this Siege. Rasis the Arabian will have these things to have happened after that *Muza* and *Tariff* met together at *Toledo*; and whereas the other writes that *Julian* did his business by counterfeiting a flight of his Souldiers, he saith it was done by men in the shew and habits of Merchants.

Muza with a strong Army enters Spain.

Takes Adonia.

And Carmona.

SECT. 3. 3. *Hispalis* or *Sevil*, though the poor distressed *Goths* had betaken themselves thither for shelter, yet upon the approach of the Army was deserted by its Citizens, and so easily became a prey to the Infidels, the *Jews* being admitted to live in equal right with the *Mahometans*. The fame was the Fate of *Pax Julia*; seated in the Confinnes of *Lusitania*, to which the distressed Inhabitants of *Hispalis* had fled, but whether it was taken by force, or delivered up upon Articles we know not, only this is certain, that after the reduction of it, a great multitude of *Christians* there long continued. The next Town they fell upon was *Emerita* a Roman Colony, and carrying as venerable an aspect as any other of *Lusitania*, however battered & defaced by the fury of the late Wars. Many of the Townsmen fell with *Roderick* in the fatal Battel; and yet had the rest that Courage and Resolution as now to go out to meet *Muza*, and encounter him, which having done with such Success as might justly be expected, they retired into their City. *Muza* viewing the place was much taken with its Situation, and perceived at length, that a stony Quarry which was by the Walls, would give convenient shelter to an Ambush, which there accordingly he placed, and with such Success, that the Citizens making a Sally were many of them cut in pieces, and the rest casting themselves into the form of a Wedge, hardly escaped within the Fortifications. *Muza* not being able to compass the Town by this Stratagem applied his mind to all Courses, by which it could be forced, sparing no Labour nor cost, for getting of battering Rams, and all sorts of Engines usefull upon such occasions. The Defendants by their indefatigable pains and industry elude their designs, being present at all places, and watching with all diligence to obviate the Stratagems and Practices of the Enemy.

4. But they were men, and being as lyable as others to the Inconveniences which attend such hard Services, they were reduced to such a small number, that they thought themselves upon good terms obliged to yield. But the terms they demanded were such as *Muza* would not give, who being now extreme old, the Deputies upon their return into the Town, affirmed, that all their hope was placed in the decrepit Age of the General, who could not in probability live many days longer. *Muza* hearing this, dies his Beard and Hair of another colour, wherewith the Deputies at their return were astonished, as being no less than a Miracle, and persuaded their fellow Citizens to give place to him, who gave Laws to Nature it self. They covenanted therefore, that of such of their fellows as had been slain in Battel, or died during the Siege, the Estates should be in the power of the Conquerour. That his should be the Revenues of the Churches, and the sacred Utensils of Gold or Silver. That such as would stay might keep what was theirs, and those that would go away might have leave to go whither best pleased themselves. About this same time it happened, that the Inhabitants of *Pax Julia*, and *Ilipula* being in a desperate Condition, resolved upon as desperate a Course, for perceiving *Hispalis* to be but meanly provided of men, they set upon the Town, and forcing out the Moorish Garrison, or killing those that resisted, quite mastered the place. But their Conquest was not of long continuance. *Abdalis* the Son of *Muza* was come into *Spain*; and blaming his Father for so slow a prosecution of the War, procured leave, and a sufficient power of men to try his Fortune. Into the Borders of *Valentia* first he pierced, and fighting prosperously against the People, had *Valentia* it self, *Dianium*, *Alicantium*, *Orilnela* and *Olla* delivered up unto him on these Conditions, that he should abstain from offering any injury to Churches, that Liberty of Conscience should be allowed all Christians, and that each man should enjoy his own, paying to the Conquerour a moderate Tribute. By this success he was encouraged to go against *Hispalis*, which he reduced, putting all those to the Sword that had been Authours of the revolt; and thence passed he to *Ilipula*, where he slew a great number of men, and for a Terror to others, as it seems, levelled the City with the ground, for from a great and powerfull City, it's now become a little Village by the Name of *Pennasfortis*, betwixt *Cordova* and *Sevil*. *Rafis* the Arabian wrote, that the Garrison at *Emerita* was cut in pieces, and that the Inhabitants of *Hispalis* conspired with those of *Pax Julia* and *Ilipula*.

The Garrison of *Emerita* cut in pieces.

Thence they march to Toledo.

5. From *Emerita* the great General *Muza*, marched to *Toledo*, and *Tariff* went to meet him as far as beyond *Ebora*, in the Countrey of the *Carpentani*. At the River *Tietares* they met with great shew of Contentment on both sides, though with minds as malicious and averse as can be imagined; *Muza* was even mad with Envy, and *Tariff* excessive Melancholy with fear of loosing his present Interest.

Muza

Muza laid heavily to his Charge that he had not obeyed his Rules and Orders in managing the War, wherein though hitherto he had prospered, it was not to be ascribed to his Skill or Dexterity in Military matters, but to the mere fawning and temerity of Fortune: when they came to *Toledo*, the covetous old man compelled him to give a strict Account, both of what he had spent in the War, and what the Booty thereof amounted to, which he bore with Patience, and by all means endeavoured to please and gain his good opinion. However they differed betwixt themselves, they agreed with joynt to Forces march against *Caesar Augusta*, which without much difficulty they took. They had the same Fortune in their attempts upon other Towns of *Celiberia* and the *Carpentani*, most of which they brought under Subjection, without one bloody Note. And so now all *Spain* seemed to be Conquered, three years not yet having passed from the first coming over of the *Moors*, a thing to be compared with a Miracle, and merely to be resolved into extraordinary Providence. For the inner parts of the Countrey they could not without great difficulty come at; and it is notoriously known that thick Woods, high and inaccessible Mountains and Cliffs, Fence and protect the most parts of *Spain*. *Ulic* the *Miramamolin* was ravished at the report of the Success which he had much suspected, by reason of the Discord of the Captains. Now he sent for them both over, and *Muza* having made his Son *Abdalis* Governour in his stead, over they went laden with that Wealth which the Nation of the *Goths*, had been so long a time in gathering.

Afterwards to *Caesar Augusta* reducing all *Spain*.

Muza and *Tariff* return to *Ulic* the *Miramamolin*.

Abdalis Governour.

Refides at *Sevil*.

Proceeds farther to invade *Gall*.

The *Goths* reflect on their Condition.

6. *Abdalis* prudently discharged the Employment, wherewith his Father had intrusted him. Out of *Africa* now flocked multitudes of their own accord, besides many that were sent for by the Conquerours, to plant those places which the War had rendered destitute of Inhabitants. To them he assigned Grounds and Towns, according as their Qualities and Families required; and made choice of *Sevil* for the Seat of the Moorish Empire in *Spain*, for the Convenience of its situation, and the strength of the Castle. Living now at ease, and being in the flower of his Age he began to cast an Eye upon *Egilona* the Widow of *Roderick*, a Lady of extraordinary beauty, and the perceiving his Passion made use of it, not to the gratifying of his Appetite, but to the advantage of her self and her Friends, and of her Religion. But he might well now live at his ease, all *Spain* being at his Devotion; only *Cantabria* and that part of the *Pyreneans*, which bordered upon the *Vascons* and *Aragon*, with the greatest part of *Gallicia* the Christians held, and there had a shew of Government, rather for that the *Moors* neglected them, because of the Barrenness and Ruggedness of the places, than that the *Goths* had any Courage or Power to defend them. The Barbarians, as we before hinted, when two years were not fully past from their first Invasion of *Spain*, not content with the Conquest and Dominion of that Countrey, in great multitudes flocked over into *Gall*, with resolution to unite those parts which hitherto had obeyed the *Goths*, with the other Territories they had taken from them, and with hope from thence to pass into the other Provinces, which at present called the *Franks* their Masters. They had the same reason to expect Success there, as they had lately in *Spain*; for there the Government, if not the Governours were quite out of Order. The Kings minded no business at all, being given wholly up to sloth and Pleasures. The Majors of the Palace did all that was done, and seemed now to have cast in their Heads, how to compass the Title as well as they had already the Power.

7. What success they had against the *Franks*, we shew in the History of that Nation; at present it's proper for us to observe, that their being employed in that *Gallick* War, gave occasion to those *Goths* that were left alive, and had betaken themselves to the Mountainous Countries to think of the Redemption of their Liberty. We may easily imagine how Irlome was to them their present state, with what trouble they called to mind their late Injoynments, and compared them with their present Conveniences. Ease and security made them loose their Countrey: now a Sense of misery, and of the lubricity of humane Affairs, put them into such a true estimate of things, that by present Care and Activity they seemed to burn with Desire of taking revenge upon themselves; all seemed inspired with new thoughts and Capacities for some great Achievements, they only wanted a Captain to encourage and lead them on. The War had consumed in a manner all that were eminent, both for Valour and Conduct; only *Pelagius* the Son of *Favila*, of whom we have formerly spoken, remained, a Person of Royal Extract, and of such Magnanimity and Courage, that he was not at all dejected with his adverse Fortune. It luckily happened at this time, that out of *Cantabria*, whither he had retired upon the late Revolution, he came in *Asturia*, it's

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Ulic *Abdalis* *Rafis* *Abdalgis*

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it's uncertain upon what occasion, whether sent for, or of his own accord to wait for a convenient opportunity, of doing something worthy of himself, and the Race of which he was descended: Here as he continued all their Eyes were upon him, and as it happens to a multitude all are ready to Talk, but to be up and be doing they are slow enough. They still stay, and would find some fit and convenient occasion. But while they attend a loitering Convenience, a certain Accident fell out, which put them upon a kind of necessity of Action.

8. *Pelagius* had a Sister more than ordinarily handsome, and of such Deportment as was very Charming; with her *Nunufa* (or *Numatia*) a Christian by profession, but Confederate with the *Moors*, and for that reason made by them Governour of the Countrey about *Gegio*, fell in Love, but in respect of the meanness of his Birth and his Humour, which was displeasing to *Pelagius*, he was in no hope of obtaining her for his Wife as he desired. He takes therefore occasion to send her Brother out of the way on a message to *Tariff*, or some say *Muza*, who was not yet returned into *Africk*. He being gone, he married and enjoyed her, which gave not so great content to him, but it as much tormented *Pelagius*, who yet resolved to play the part of a Wife man, and conceal his Indignation, till he could find some opportunity effectually to shew it. At length he conveys away his Sister on a sudden, and carries her to the Borders of the *Astures*, where he knew the People to be of a most propense Inclination to him and his Family. *Nunufa* presently took the Alarm, and being the more concerned, because of the loss of his Wife, gives speedily notice of it to *Tariff*, who dispatches away some Souldiers from *Corduba*, to suppress the Designs and endeavours of *Pelagius*, before they should come to any Maturity. And very near they were to suppressing them, by surprizing his Person altogether as yet unprovided for so great expedition they made. He had only so much timely notice as to make his Escape, but they followed him so close, that he was glad to take the River *Pionia*, over which his Horse having carried him safe to Land, the Pursuers thought him not so great a prize, as to purchase with so manifest a danger of their Lives, and so he got safe to the Valley of *Canica*, which at this day bears the Name of *Cangas*. Here he found in little time a great number which gave their Names for the recovery of their Liberty, of which they despaired not by the means of such a General. He advised them that they would Act strenuously and betimes, e'er the Dominion of the *Saracens* should by continuance be confirmed, it being as yet tottering by reason of the newness of it. For their Comfort the Garrisons they had put into the Cities were but very slender, all the lately conquered People, where e'er they should come were their Friends; and the Forces of the Enemy were dispersed, most of them being gone over the Mountains into *Gall*. He put them in mind of the Valour and Glory of their Ancestours, and that Death it self was by much to be preferred before the Calamities, which they and theirs now underwent.

9. Though their apprehensions of danger were great, his words did much erect their minds, and he prevailed with them to enter into a Military oath, to undertake and prosecute the War against the *Moors*. By the universal Consent and Suffrages, both of Nobility and People, he was chosen Captain General, and King of *Spain*, in the seven hundred and sixteenth year of our Lord, to which some add two years more or thereabout; so great a matter it is to take hold of opportunity, and not to be wanting to ones self. When all things seemed now to be desperate and beyond humane possibility, to repair the desolate Estate of the late Conquered *Goths*, the Foundation of a lasting Kingdom is laid, by which the *Moors* are in time though long before, again outed of their Possession. *Pelagius* knowing that from the first beginnings and Attempts, men ordinarily take their Grounds for fear of hope, spared no pains to preserve the Majesty of that Title, which he had received. He made many Inroads into the Countrey of the *Moors*, plundering and killing them; as he could conveniently. On the contrary he fortified all the Towns belonging to his new Dominions, relieved such as were in distress, and every way to his power provided for the Ease and Convenience of all his Subjects, sparing no pains; for he had a Body fitted for Labour, his Countenance being martial; rather than beautiful, and all his Limbs every way proportionable. By this time the News of his Motions had arrived at the Ears of *Alchama* a notable Captain of the *Moors*, who came over at first with *Tariff*, and during the War gave many proofs of his Courage and Dexterity in Martial matters. He hastes to suppress him, e'er he should complete his numbers, with a very good Army, consisting of both *Moors* and *Christians*; *Oppas* the Bishop of *Toledo* coming along with him, who all the

Under the Conduct of *Pelagius* they unite in Order to the recovery of their former State.

And chuse *Pelagius* for King.

Who is encountered by *Alchama* a Captain of the *Moors*.

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the way indeavoured by fair words to preserve the Provincials in their Duty and Allegiance toward the Infidels.

10. The noise of *Alchama* his coming grievously disordered *Pelagius* his Army, the *Goths* having again lost that Cheerfulness and Alacrity, which their own Meditations, and the words of their King seemed lately to have wrought in them, and behaving themselves no otherwise than Slaves, afraid to look their Lords and Masters in the Face. He perceiving their Temper, thought it not fit to expose such a Company of men naked in Body, and as unprovided of Courage to certain Ruine, by a formal Engagement, but chose out a thousand stout Souldiers from amongst them, wherewith he possessed himself of a spacious Cave in the Mountain *Aufenda* (at this day called the Cave of St. Mary of *Conadonga*) which he furnished with all things necessary for a Siege, in Case he should be discovered, intending thence to make Sallies, and doe what mischief he could by sudden and unexpected Assaults. But he was quickly discovered and pursued to the place of his Retirement, where *Oppas* was first ordered to set upon him with an Oration, for they thought it better to reduce them by fair words, than engage a desperate sort of People in the Straits. "He sought to persuade him to yield, by reasons drawn from the present potent Fate of the *Goths*, which however it had formerly raised them to a great height, was now engaged to tumble them down as low; and if when all was well with them, and the whole strength of the Kingdom was entire, they could not then make good their Party, how should he think to doe it at such a miserable Ebb of Fortune. He spake Contemptibly of their number, and affirmed the Enemy to be sixty thousand strong. Told him, that Almighty God for the sins of their Nation blinded their minds, not yet satisfied with the Effusion of Blood, which the late past Actions, and now this rash adventure of theirs sufficiently declared. And he ended with an Exhortation to quit this their stubborn resolution, and prefer Death to Life, or Slavery before Liberty, and the consequence of Honours, Riches, and all other good things, which in the Name of his new Masters he promised them, if so be they would lay down their Arms, quit these Mountainous places of refuge, and submit to the Conquerours, which doing, they should therein follow the Judgment, Example and Desire of all *Spain*."

And forced to a retiring place.

Where *Oppas* Bishop of *Toledo* sets upon him with an Oration.

Pelagius his Answer.

11. "Pelagius answered him as he deserved, that the displeasure and Vengeance of the Almighty was to be feared by him, his Brother *Wittas*, and his Children, although at present their matters seemed to prosper according to their Wishes. That by their wickedness the Divine Majesty was provoked, all things sacred through the whole Province contaminated, and the Laws Sacrosanct for their Antiquity broken and rescinded. That from these beginnings of Vilany, they came at last to that fury and unheard-of Madness, as to draw the *Moors* a fierce and cruel Nation into *Spain*, whence their Nation had received so many overthrows and such Effusion of Christian Blood had followed; for which Vilanies if Almighty God take care of humane Affairs, you must be grievously punished, both alive and dead, especially thou thy self, who forgetting the place thou bearest, hast been the most principal Author of all these mischiefs, and now by an impudent Speech, darrest advise us to receive the Yoke upon our Shoulders more grievous than any Calamity, viz. to undergo again those Calamities and Hardships, of which we have had so late experience. These are the wonderful rewards, these the Honours to which even now thou invitedst our Souldiers. Know, *Oppas*, we neither think, that Almighty God hath turned his Ear from, nor is his mind averse, to us, so as to truit to thy Promises; but we hope he will turn the sharpness of Punishment into Mercy, as he is continually wont. But in Case we are not yet sufficiently punished, and he will not deliver us, who pray unto him and are destitute of defence, we are resolved to change these Calamities for Death, and a most grievous slavery (so we hope) for endless Felicity."

12. When fair words cannot persuade them to yield, rough Deeds and Blows must beat them out of the Hole, wherein so much, though with so little cause, they now confided. Such were the thoughts and resolution of *Alchama*, who Commanded all sorts of Batteries to be made against the mouth of the Cave, but God Almighty whom *Oppas* had injured, by making his Providence as it were serve his ends of Revenge and Malice, so wrought, it's said, for the besieged, that the Stones and Darts shot against them, recoiled upon the heads of the Shooters, and being first preferred in a miraculous manner, in as miraculous a way, they afterward quite defeated their Enemies, of whom very few escaped alive, twenty thousand being killed in the fight and pursuit, and the rest drowned in the River *Dena*, into which

Alchama and his forces destroyed.

T t t

part

part of the Mountain *Aufena* fell, on which they stood. *Alchama* was slain in the Battel, and *Oppas* was taken Prisoner, and put to such a Death, doubtless, as he had deserved, for henceforth we hear nothing of him. *Namusa* confounded at the report of so unexpected a defeat fled from *Gegio*, the Inhabitants he knew to bear him no Good Will, and coming to a Village called *Olalie*, where he was knocked on the Head by the People. About the same time, *Musa* in way of Retaliation was accused to the *Miramamolins*, and being constrained to give an Account of all the Money spent and received in the *Spanish* War, was made to pay back great Sums he had hoarded up, and died of Grief. *Abdalasis* his Son having governed *Spain* three years, incurred the heavy displeasure of his Countreymen, for the many Rapes he had committed upon the Wives and Daughters of the Nobility, and was slain in the entry of one of their *Mosques*, it's thought by the means and procurement of *Egilona* his Wife enraged at his new Loves so far as to persuade him to take the Ensigns of Royalty, and push him on to those Courtes, the certainly knew would procure his Ruine. But the Authour of the murder was *Arub* his Kinsman, who governed *Spain*, for one Month, and, as *Roderick* the Archbishop writes, built *Calatania*, a Town of good note in *Celiberia*.

13. Not long before this died *Ulit* the *Miramamolins*, or chief Prince of the *Saracens*, and was succeeded by *Zuleiman* his Brother, who sent one *Alabor* into *Spain* to succeed *Abdalasis*. This *Alabor* was a man exceeding cruel, both to *Moors* and *Christians*. The Citizens of *Corduba* he outed of almost all their Estates, and made Inquisition after such as he said had defiled themselves with the spoils of a Conquered Nation. From *Sevil* he translated the Royal Seal of the *Moors* to *Corduba*. The Sons of *Julian* and *Witiza* he suspected (or pretended so) of having betrayed the Army at the late defeat received in *Asturia*, and having first spoiled them of their Estates, when they had nothing left them to live on, put them to death, and so completed the revenge of that execrable Treason of betraying *Spain* into the hands of these wicked Infidels. For *Julian* had received his reward before this time, as is most probable, because he is now nowhere mentioned, although the manner of his death is not certainly known. But a report hath gone without any considerable Authour, that his Wife was by the Barbarians stoned to death, that his Son was cast headlong from a Tower near to *Olea*, on the Coast of *Africk*, and that he himself was committed to perpetual Prison, in a Tower of *Laarres* near to the same place by Command of the *Moors*, where without the Church of the Castle is shewn his Tomb made of stone. *Roderick* the Archbishop, and *Lucas Tudenis* write that he was slain, and all his Wealth confiscated. And indeed when men consider of so great and dreadful Vilanies as he committed (and he committed such in betraying *Spain*, as the Consequence thereof cannot for the weight of it be consider'd sufficiently) they are apt to conclude, without this reflexion, that God's Judgments and ways are Infrutable, nay they are unwilling to think, that the Anthonrs came to any peaceable or timely ends.

14. But to return, and visit *Pelagius*; we find his Interest exceedingly strengthened by the late defeat given to the *Moors*. For his Authority and Government was not only confirmed in *Asturia*, but multitudes now flocking in to him, who before stood aloof off, expecting the event, with considerable Forces he descended into the Plain, where he plundered and burnt all Towns belonging to the *Moors*, the Persons of whom he never spared as they came in his way, and took by Force the City *Legio* (afterward *Leon*) standing at the bottom of those Mountains, which part *Gallicia* from the *Astures*. Some are of opinion, that at this time he took the Title of King of *Leon*. But others deny it with greater reason and Testimony of Antiquity, which confirms this truth to us, that *Pelagius* and his Successors were Kings of *Onetum* only. The Sepulchres of the Kings yet extant at *Onetum*, and other places in *Asturia* before the time of *Hordanius* the Second, who first called himself King of *Leon* favour this Assertion. That opinion is more worthy of Credit, which will have *Pelagius* now after the taking of *Legio* or *Leon*, to have changed the former Badges or Arms of the *Gothick* Kings, for a Lyon Rampant Gules in a Field argent (as we forefooth must blazon, because our Masters the *French* do so) which still continues to be the Coat Armour of that Kingdom, and forasmuch as the City, and that Ammal are both in the *Spanish* Tongue expressed by one Name of *Leon*, the understanding of Arms but Ignorance in matters of Antiquity, have given occasion to gross mistakes. Within a while after the Conquest *Legio*, besides *Asturia*, *Manilia*, *Tineus* and other Towns in *Gallicia* and *Asturia*, were taken from the *Moors*; *Pelagius* made himself Master also of *Gegio* a City very strong both

Set. 3.
Namusa knocked on the head.

Musa dyes with Grief.

Abdalasis murdered.

Ulit dies, Zuleiman succeeds as Miramamolins.

The Seat Royal removed from Sevil to Corduba by Alabor the Governour of Spain.
The Death and Destruction of Julian and his Family.

Pelagius grows strong in Asturia, and other places in Spain.

Ali Ulit dyes, Zuleiman succeeds as Miramamolins.

The golden Moors, the golden Moors, the golden Moors.

both by Art and Nature. Thence some suspect that he and his Successors might be called Kings of *Gegio*, and to might come the mistake of *Legio*, it being very easy to fall into such an error in ignorant times; the Alteration being but of one letter.

15. Much about this time died *Zuleiman* the *Miramamolins* of the *Saracens*, having adopted two his Nephews by his Brother *Ulit*, viz. *Homar* and *Izic*. These two were to enjoy the vast Empire of these *Arabians* in *Asia*, *Africk* and *Spain* by equal Right, a thing new and of dangerous Consequence: But it happened well for them, that all danger of Envy and Emulation was prevented by the death of *Homar*, who within a short time followed his Uncle. *Izic* being Monarch, sent one to govern *Spain*, who has as many Names almost as *Spain* had Provinces. Some call him *Adham* the Son of *Melic*, and others *Abraham* and *Azam*, and the Chronicle of King *Alphonfus* mentions him by the Name of *Zama* or *Lamam*. This *Moor* whatsoever was his Name, was a man of great understanding in all things, relating to Peace and War, and being as covetous as any of the rest, laid greater burthens than ever upon the conquered Cities; nay, if *Rafes* his own Countreymen told true, from the *Moors* themselves he exacted the fifth part of all their Goods, under pretence of relieving the poor, but indeed that he might bring them so low, that they might not be able to rise, or doe any thing effectual against him. For *Narbon* with a strong Garrison, laid Siege to *Tolouse* to his Ruine as it proved. For *Eudo* the Duke of *Aquitain* coming upon him, raised the Siege, and killed him with most of his men after he had governed about two years. Those that survived made choice of one *Abderrahman* to command them, till such time as a new Governour should be ordered them out of *Africk*, which was done as soon as the News of the should be ordered and Death of the former arrived. Now this new Officer some call *Aza* and *Adha*, and the Chronicle of King *Alphonfus* makes *Zama* the same with him; so that some account these men the same, although one died at *Dertosa*, and other were sent in Battel, as it's said, and some make them several, though both they were sent by *Izic* the *Miramamolins*. There is so great Confusion of Names in Authors, relating to these Moorish matters, that as *John Vassens* a very diligent and judicious Writer observes, very difficultly can any thing certain be discovered. One grand reason he thinks is, that at the same time there were many Moorish Governours in *Spain*, over which yet one had the Command and over-sight, who had his Seat at *Corduba*, as far as can be gathered from ancient Monuments.

16. What we have written concerning him that was killed at the Siege of *Tolouse*, is reported of this new Governour, whom they will have by a Conspiracy of his own men killed at *Dertosa*. He oppressed with new and unheard-of Taxes, made both *Moors* and *Christians*. Caused a Bridge to be made at *Corduba*, and having made War upon that part of *Spain*, lying near the Mountain *Cannus*, took by force and forced *Turiso*, and was afterward killed after he had ruled *Spain* two years and six months. He left for his Successors, as *Roderick* the Archbishop tells us, *Ambuza*, *Odra* and *Jabea*, so that some think *Spain* was now divided into three parts, or else they must have governed but few months a-piece, but here is such multiplicity and Confusion of Names, as was said, that nothing certain can be pitcht on. It's more certain, that about this time, *Izic* the *Miramamolins* dying left *Ifcam* his Brother his Successor, on that Condition he should adopt *Abulis* his Son for his Heir, which he performed. When *Ifcam* came to be Sovereign, he made *Odayfa*, *Himen*, *Autuma*, *Alhayan* and *Mabomad* his Deputies in *Spain*, the several Governments of whom if they succeeded one another, must have been but of small continuance. For in the seven hundred and thirty first year of our Lord *Abderrahman* was Governour, perhaps the same we not long since mentioned. This man was an excellent Soldier, but fierce of Nature, and cruel, severe in his place, as well to his own Nation, at this time exceeding vicious, as to the poor distressed *Christians*. This severity, or rather Tyrannical Carriage, procured him many Enemies of both sorts, and amongst the rest, one *Murjes* a Commander of the *Moors*, of great Interest and Courage, found himself so far concerned as to rise against him, drawing into his Assistance the *Gothick* Gall, which trusted to the distance of place, the *Corretani* in *Spain*, and *Eudo* the Duke of *Aquitain*.

17. This *Eudo* seems to have been a man of great Wisdom and Courage, as any of his time only one thing he is blamed for, not as he was a man, but a *Christian*. To strengthen his interest, he married his Daughter to this *Murjes* a *Mahometan*, but the device prospered as it had deserved. For *Abderrahman* having notice of *Murjes*

Zuleiman dying, Homar and Izic succeed.

Homar dyes, Izic sole Monarch sends Adham to govern Spain.

Who is slain at Tolouse.

Abderrahman chosen in his place.

Izic dying, Ifcam his Brother succeeds.

Set. 3.

A. D. 734. Ibn-perit Arabus, 107.

Abderrahman Gal-ri Scripures of pellani.

SECT. 3. his purpose, and how the *Gotick Gall* stood affected, hasted with a competent force to the Borders of *Spain*, and shut up his Enemy in the City *Ceretania*, whence not able to escape, nor deliver himself by strong hand, he ended his own Life himself, that it might not be at the Mercy of the Conquerour, which done, the Town yielded, and his head was sent into *Africk* to the Emperour of the *Moors*, together with his beautifull Wife now in the flower of her Age, an acceptable present to the *Miramamolins*. *Abderrahman* elevated with his Success invaded *Gall*, and proceeded by the *Mediterranean Sea*, as far as the River *Rhone*, and laid Siege to *Arles* the principal City of those parts. *Eudo* with as great a force as he could compass, came to raise the Siege, but was defeated with so great loss as seldom we have read of, manifested by those great heaps of bones which long time were seen before that City. Then turning toward the left, he carried his Victorious Arms through a great part of *Gall*, and came into *Aquitain* to be revenged upon, or to brave *Eudo* his great Enemy at his own Doors.

Gall and Aquitain invaded by the Governour of *Spain*.

Carrying all before him.

Is at length encountered by Charles King of the Franks.

18. Passing the *Garonne*, he came before *Burdigala* or *Bordeaux*, which having taken, he used with no more Mercy than *Angry Conquerours* are wont to do: Not far off he was again encountered by *Eudo*, as well upon the common Account of Christianity as his private Quarrel, but with the same Success as formerly. Then were over-run these several People the *Engolismenses*, *Petrugoriti*, *Sanctones* and *Pidonies*, and all Christendom it self lay at the stake; for who could be imagined to be of sufficient power to oppose and repulse those who had subdued no less than *Asia*, and *Africk*, and the Empire of the once formidable *Goths*? Many Nations trembled afar off, and some seemed already conquered by the mere fame of their Actions. But there was one *Charles* surnamed *Martell* in *France*, the Master of the Palace, a subject in Name, but Sovereign in effect, him God Almighty reserved as a Scourge for these Victorious Infidels. Moved by the common danger, but solicitous for his own House, which being next Neighbour was now almost on fire, he resolved to extinguish this dreadful flame, for which purpose he gathered an Army as strong as he could, out of *France*, *Germany* and *Austrasia*, many of their own accord, giving in their Names to obviate that mischief, by which else they were sure to perish. With these he marched to *Tours*, where he passed the River *Loire*, that having it on his back he might not be incompanied by the numerous forces of the Enemy.

19. The Infidels excelled in numbers, the *Christians* in their cause and Military Skill. *Eudo* now like a good *Christian* forgot the Injuries he said he had received from *Charles*, and preferring the publick Good before his private Respects joyned with him, and gave him great Assistance in the Battel, though as to the thing that moved him to do it Authors differ. The *French Writers* tell us, that by the Invitation of *Eudo* himself, the *Moors* came into *Gall*, and that when the Infidels had invaded his Dukedom, and so perfidiously broken the League they had made with him, out of revenge he changed his mind. Herein the ancient Historians of *Spain* are silent, but the later take *Eudo's* part, though they will certainly affirm nothing, charitably believing that though his Principality was in *Cantabria*, and he held but *Aquitain* in way of Dower, yet because he had lately fought no less than two bloody Battels against the *Moors* (to which we shall add that he was engaged with *Murtes* his Son-in-Law against *Abderrahman*) he did not invite them into *Gall*, nor changed his mind upon account of the Breach of any League he made with them. However it was, his coming was seasonable. The *Moors* were no fewer than four hundred thousand, many having brought with them their whole Families allured by the report of the Pleasants and Fertility of *Gall*, there to inhabit. The Armies being joyned, the Victory for a long time remained doubtful, but at length the multitudes of the *Mahometans* gave way to the Valour of the *Christians*, who got the day.

Who defeats the *Mahometans*.

Killing their Leader amongst the rest.

20. Of the Infidels were slain no fewer than three hundred and seventy five thousand, and *Abderrahman* amongst the rest, which added to the joy conceived for the victory. And well might the joy be great, considering the effects and fruits of it; no less than the preservation of the Christian Name and Interest, and an evident proof that this People of the *Moors*, how terrible soever they had hitherto been, might be overcome. The number of the slain on the Christian side amounted to a thousand and five hundred, a loss greater, in respect that those that were slain were of the best Families, and most valiant Persons, in respect of the quality, rather than the quantity of the men. Amongst those that did worthily, none surpassed *Eudo*, by confession of *Charles Martell* himself, and by his coming in and falling

ling upon the Rere in the heat of the Fight the victory principally was obtained. But such was the success of the *Christians* against the *Mahometans*, in the seven hundred and thirty fourth year of our Lord, and the one and twentieth after the loss of *Spain*. Into the Office of *Abderrahman* was preferred one *Abdelmelic* who governed *Spain* four years, and was famous for nothing but the virtues proper to those of his place, viz. Cruelty and Covetousness; and herein he had the advantage of the rest, that whereas his Predecessours had pillaged and rifled a State that was already down, and at the lowest ebb of fortune, he by his Rapines checked it now when it was about to revive and make some progress towards its former flourishing condition. He was commanded to make some attempt upon *Gall*, which as he was about to do, he lost many men at the Straits of the *Pyrenean Hills*, and remembering the fate of his Predecessour, fairly retreated.

21. About the same time (some say the seven hundred thirty fifth, others the thirty seventh of our Lord) died *Pelagius* the new titular King of *Spain* at *Canica*, and was buried at a Monastery near at hand of his own building; where his Wife *Gandisca*, by name also was interred. His Son *Favila* succeeded him without any opposition, for his Father's sake, not his own merits. He reigned but two years, and during those most unlike his Father. He preferred his own pleasure before the Publick profit, spending his time in a mock war against wild Beasts when he should have been exerted in a serious hostility against the Enemies of his Country, and in such a sort of hazard died, not by the hand of a noble Gallant enemy, but by the teeth of a Savage wild Boar which he too hotly and rashly pursued. He being dead without issue, according to the last will of *Pelagius*, *Alfonso* and *Ormisinda* were declared Kings with universal consent and applause of the People. *Alfonso* was the Son of *Peter Duke of Calabria*, sprung from the Noble blood of King *Ricaredo*. He had commanded Forces during the Reigns of *Egica* and *Witiza* when young, and of late brought a stout band of *Cantabrians*, and joyning himself with *Pelagius* had done excellent service against the *Saracens*, whereupon he gave him his Daughter *Ormisinda* to Wife, and from this marriage have the Kings of *Spain* proceeded in an unquestionable line; Son from Father, as writes *Mariana*. He was a man of excellent Parts most fit for government, a great States-man, and an excellent Soldier, well arm'd against adversity, but to be admired for his rare felicity and success in all his undertakings, and very religious, whereupon he had the surname of *Catholicus*, a Title formerly given to *Ricaredo* his Ancestour for his renouncing the *Arian* Tenets, by the Synod then held in his City of *Toledo*.

The Original of the Kingdom of *Aragon*.

Acupa Governour of the *Moorish Spain*.

22. About this time died *Eudo* the Duke of *Aquitain*, whose Dominions in *Gall* *Charles Martell* seized, and therein placed Garrisons to defend them. His three Sons *Aznar*, *Hunbold* and *Vaifer* or *Gaifar*, sensible of the injury, and as Heirs to their Father's Courage as well as his Territories, presently take Arms. *Aznar* makes an Expedition in those parts of *Spain* which border upon the *Pyrenes*, where he takes the City *Java*, with many other Towns from the *Moors*, and gives Original to the People and Kingdom of *Aragon*, which some derive from the River *Arago*, which running through these Countries, joins it self with *Ega*, though others will have it framed of *Taraco*, whence the *Taracoman* Province was so called. *Hunbold* and *Gaifar* pass the *Rhone*, and with great Terror invade *Gall*, sparing nothing that Fire or Sword could destroy, nor sucking Babes, nor such as Age had placed more than half in the Grave already. The *Allobroges* they harried most cruelly, and *Vienna* being with much ado kept from them, they pierced into the more inward Parts of *Gall*. Not content with what they could do themselves, they join with *Mauritius*, the Count of *Marzeilles*, and all three to do mischief to the last knock that they got not having so smarted, but that their longing after so pleasant a Country made them quickly forget the pain. By this time one *Acupa* had succeeded *Abdelmelic* in the Government of the *Moorish Spain*, after he was accused of ill administration, and in Bonds constrained to plead his Cause by a certain Noble man of that Nation, and a man most zealous of their superstitious *Acupa*, by the assistance of *Mauritius*, took the City *Avinion*, and miserably waited all the Country about it, which happened five years after the Defeat at *Tours*, in the first of the Reign of King *Alfonso*. The Country was indeed very much wasted and distressed by the Conjunction of these Great ones; but by the extraordinary Valour and Conduct of *Martell*, all was again recovered; *Avinion* and *Narbon* both recovered, and scarcely any thing left either to the *Moors* or *Goths* in *Gall*.

SECT. 3.
4. D. 734.

Alfonso Title: *King of Castile*.

Sec. 2. vast Army, he met and gave him battle and defeated him, fifty thousand men perishing in the place; no Age knew a greater victory, nor more reasonable for the Interest of Christianity. This overthrow was not more reasonable for the Christians, than convenient for the design of *Abderrahman*, who being of the family of *Humey*, and forely persecuted by *Abdalla*, him that had lately brought the Sovereignty to the House of *Alabaci*, and by all means endeavoured to root out the whole stock of the contrary faction, fled into *Spain*, where for the favour they bore to his Family, for the many good offices his Ancestours had done to the Countrey, he was kindly received. Onely *Juzeph* opposed him, and gathering an Army, met him in the field, but was defeated, and fled to *Toledo*. *Malaca*, *Asidona* and *Sevil* had before this yielded to *Abderrahman*, and now he laid Siege to *Bela*. *Juzeph* privately stole away to *Corduba*, where making no long stay, he passed to *Granata*, and there *Abderrahman* got him into his hands. But using him, it seems, too mercifully, from *Corduba* he fled to *Emerita*, where getting together nigh twenty thousand men, he made Incurfions into the Territories belonging to the Friends of *Abderrahman*, till by a stronger force he was restrained, and driven to *Toledo*, where thinking himself in security, he was slain. The Town quickly yielded to *Abderrahman*, who by universal consent of the *Moors*, began a Kingdom at *Corduba*, to which they all subjected themselves without any dependence upon, or duty acknowledged to, any other *Miramolin* or Potentate whatsoever. This New Kingdom, by the means of this *Abderrahman Abenbumeia*, surnamed *Adabil*, began in the hundred and forty second year of the *Arabians*, in the seven hundred fifty ninth year of our Lord.

Abderrahman begins a Moorish Kingdom at *Corduba*.

Roderick killed *Abderrahman*.
A. D. 759.

28. Against this New Moorish King, *Valentia*, a City of the *Edetani*, in the *Tarracoman* Province, was the only place that stood out, and refused to acknowledge his Jurisdiction. But e'er long it found reason to yield, and whereas some of his own Nation rebelled against him, he had the good fortune to suppress the Rebellion, and animadverted upon the principal offenders by several sorts of exemplary punishments. The Barbarian elevated by so great felicity, made War upon the People of *Gallicia*, and laid Siege to *Pax Julia*, a place of *Portugal*, at this time called *Beja*. But he had to doe with one in those places, who knew as well to keep, as he to get, viz. *Froila*, by whose victorious Arms he was repulsed, as well as all the Mutineers which possibly held intelligence with him. For *Froila* by the same course of felicity reduced to obedience the Inhabitants of *Gallicia*, as also the *Rebellious Vascons*, in which expedition he married *Menina*, some call her *Momerana*, the Daughter of *Endo* Duke of *Aquitain*, and Sister to *Asnar*. Thus he proceeded, and might be ranked amongst great and good Princes, but that he blemished all by cruelly murdering his Brother *Bimaran*, a Prince beloved by the People for the beauty both of his Body and Mind, with his own hand, though probably he might not want provocation. Indifferent persons suspect there might be Ambition in the case, and that those whom the King's severity alienated from him, might push on *Bimaran* to some dangerous attempt. Whatever the cause was, he could not wash away with all he could doe, the crime of reputed Paricide, being ill thought and spoken of, both alive and dead upon this account, although to redeem his credit he adopted *Veremund* for his Successour, the Son of his slain and lamented Brother. But this would not doe the work, whatever he did was either ill done or ill taken, so that running out of one fault and inconvenience into another, he was killed at last at *Canica*, and was buried at his *Onetum*. He reigned eleven years, five months and twenty days, as some ancient * Histories relate, although † *Roderick* the Archbishop gives to his Reign no fewer than thirteen years complete.

Who is murdered.

Aurelius chosen in his place.

29. *Froila* by his Wife *Menina* had a Son named *Alfonfus*, and a Daughter called *Ximena*. But *Aurelius* who slew him to revenge the death of *Bimaran* (his Brother or Cousin, it's uncertain, for some make *Aurelius* the Son of *Froila*, *Alfonfus* his Brother) by consent of the Nation was made King in the seven hundred sixty eighth year of our Lord. He reigned six years and as many months, being famous for no great matters performed. He suppressed indeed the Slaves, which now trusting to the confusion and uncertainty of the times, rebelled. But the fame of this Action, and more than this could not equal the dishonour he got by the League which he made with the *Moors*, by virtue whereof he was to pay a yearly Tribute of Virgins to those Infidels. The terror of *Abderrahman*'s Name was so great, that it frightened them into this compliance, left he, a man very fierce and active, should bring all his strength against their weak and scarcely settled Kingdom. *Aurelius* having no children (it doth not appear he had any Wife) gave his Sister *Adofinda* in marriage

Sec. 2. marriage to one *Silo*, a man of great Nobility, with hopes to succeed him. His hope was not vain, for *Aurelius* being dead, for the sake of his Wife he was admitted King, and reigned nine years, one month and a day. He reduced into order the mutinous People of *Gallicia*, but being either by reason of his Age or his own temper unfit for Government, by persuasion of his Wife he took *Alfonfus* the Son of *Froila* to be his Partner in the Kingdom, such being the misfortune of the times, that when the State, by reason of its weakness, and so powerful a Neighbour, required the most able and most active Princes to govern it, weak and idle men happened to preside and move the Helm.

30. After *Silo*'s death, *Alfonfus* was confirmed in the Government, the People having forgot his Father's faults, which his own and excellent demeanour had in a great measure also covered. Onely *Mauregatus* his Uncle (and that by a Concubine) found himself concerned, alledging that he himself was nearer in blood to the former Kings, and there wanted not some Male-contents, who flattered him with continual suggestions that he was injured. But finding not strength enough at home, he betook himself to the *Moors*, and to get assistance from them, offered, that in case they made him King, to pay them a yearly Tribute of fifty Noble Virgins, and as many out of the Inferiour sort. These Infidels being a people above all others given to leachery, to gratify their lust, and out of Ambition to have a Christian King, their Tributary, granted his request, and by permission of their King an Army was levied, which *Alfonfus* finding himself unable to resist, being as yet unfetled in his place, gave way to fortune and his Competitor, and returned into *Cantabria*, being now twenty five years old, hoping there to find good friends, by reason of his Mother's kindred. *Mauregatus* then obtained the Throne, and was eminent for nothing but the dishonesty and filthiness of his manners, wherein having spent five years and six months, he then left this world, and was buried at *Pravia* in the seven hundred and eighty eighth year of our Lord. In the same year died *Abderrahman* King of the *Moors* at *Corduba*, having reigned nine and twenty years, and adorned that City with an excellent Castle, rarely contrived Gardens, and such a Mosque, as being now turned into a Cathedral Church for its beautiful Structure, multitude and variety of Pillars seems miraculous. He left eleven Sons and nine Daughters. Of the Sons, the eldest *Zuleman* he had made in his life time Governour of *Toledo*, and at his death appointed him his Successour. But *Ifsem* his second by his presence at *Corduba*, having got the opportunity of Cajolling the People, set up for himself, and what he jolly or unjustly got, in the same manner kept and preserved.

But ousted by *Mauregatus* with the assistance of the *Moors*.
Abderrahman dies.

Ifsem seizes on the Government of the *Moors*.

To *Mauregatus* succeeds *Veremundus*.

Who makes *Alfonfus* the Third his Partner in the Kingdom.

31. Against *Zuleman* he so stoutly defended himself, that he forced him to sell his Pretensions for sixty thousand *Aurei* and to go into *Africa*, as did his other Brother *Abdalla*, with whom he also compounded, after he had made an Insurrection. Having conquered all opposition, he lengthened out his Reign to seven years, seven months and seven days. To *Mauregatus* succeeded *Veremundus*, though upon what title is not agreed, for Authors differ about his Genealogy, some making him the Son of *Bimaran*, who was killed by his Brother *Froila*, and others of *Froila* the Brother of *Alfonfus* the Catholic, which seems most probable, being most approved by learned men, and attested by the Chronicle, which hath gone under the Name of *Alfonfus* the Catholic. He reigned three years and five months, and of his Wife *Namilo* (or *Veseda*) begat two Sons *Ramir* and *Garfas*; but so far as he was in Orders, and a Deacon, he is said afterwards to have obtained from her company. Otherwise he was a modest and temperate man, by confession of such as were against his marriage, of a peaceable spirit, neither by art nor nature fit for Arms. But herein his care for the Publick appears, that being not fit himself for business, he chose for his Colleague such an one as to whom those things were most proper, viz. *Alfonfus* his Kinsman, whom *Mauregatus* had banished into *Cantabria*, solemnizing his Inauguration or Restitution on the nineteenth day of *July*, in the seven hundred ninety first year of our Lord. *Alfonfus* after this governed a long time, and was second to none for his perpetual felicity, his Clemency, Munificence, his Religion and his Skill in matters relating to War.

32. The hope of this his Skill was much confirmed by the victory he obtained over the *Moors*, in the third year after his Restitution. For whereas by virtue of the agreement made by *Mauregatus*, such a Number of Christian Virgins was yearly to be delivered to them as a Tribute, he abhorring it as a most wicked thing, when for want of payment they made Inroads into the Countrey, he met and gave them battle at a Town called *Ledes*, where they received to total a defeat, that seventy thousand men were slain, and his Subjects now began to lift up their heads

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as freed from bondage. For the *Moors* were hereby so weakened, that having work made them elsewhere, they had no opportunity or power to revenge the loils; the *Valkons* putting them to it on one hand, and the Arms of *Charles* the Great, who now began to grow famous, much molesting them on the other; so that by one means or other they lost many Towns upon the Borders. This caused *Islem* the *Miramamolins*, to send away *Abdelmolie* a Captain of great Note, to restore his Interest in those Quarters, who retook *Gerunda* and *Narbon*, whence he had Slaves to help to perfect the structure of the *Mosque* at *Corduba*. He caused another Bridge to be built to the Castle in that City. He first of all the Moorish Kings used three thousand of Renegade Christians as a Guard, and had constantly two thousand Eunuchs that followed his Court. He died in the seven hundred and ninety fifth year of our Lord, leaving *Alhaca* his Son his Successour, who Reigned six and twenty years, ten months and fifteen days, being a Prince of great prudence, Justice and Liberality as can be imagined amongst that People. And to him some ascribe the Guard of five thousand men, Apostate Christians and Eunuchs, which others say, was first raised by his Father.

Islem the Miramamolins dies leaving Alhaca his Successour.

Veremund dies leaving Alfonso the Moorish Monarch.

A Rebellion amongst the Moors.

33. In the mean time died *Veremund* and was buried at *Onetum*, where the Monuments of him and his Wife were seen long after. Then did *Alfonso* govern alone, and obtaining from the imbraces of his Wife, *Bertha*, obtained the Surname of the Chaste. His former Glories were within a little while something obscured, at least so he thought, by a Clandestine Marriage of his Sister *Ximena* to *Sandias*, or *Santisus* the Count of *Soldania*; from which Marriage proceeded *Bernard*, who had the Surname of *Carpenfis*, and is much celebrated for his great Achievements by the Writers of the Spanish Story. *Alfonso* for all his Virtue could not bear such an Indignity offered to his Family, but calling the Count to *Leon*, upon pretence of the Assembly of the Estates, he was accused of Treason, and having his Eyes put out, was condemned to perpetual Prison, there to bewail his own Ambition, or rather the Cruelty of the King. *Semena* was constrained to go into a Monastery; but the Infant he well provided for, bringing him up with as much Care and Respect, as if he had been his own Son. In the mean time the *Moors* could not be quiet amongst themselves. *Zuleman* and *Abdalla* the Uncles of the new King grudged him his preferment, and left nothing undone to remove him from it. Some say, that *Abdalla* craved aid of *Charles* the Great, who sent his Son *Ludovicus* to assist him, and that the Army of the *Franks* pierced into *Spain*, as far as *Ofca*. Others write, that both the Brothers at this time came over out of *Africa*, *Abdalla* having by connivance of the Citizens first seized upon *Valentia*, and then sent for the other. Making frequent Irruptions into the Countrey, they made great waste round about, and at last had the Boldness to give Battel to *Alhaca* the *Miramamolins*, who had the good Fortune after great Effusion of Blood, to get the Victory. *Zuleman* was slain in the Battel: *Abdalla* escaped to *Valentia*, where seriously considering of his Affairs, thought it best to be quiet, and made Peace with his Nephew on this Condition, to have such an allowance as might maintain him according to his Quality. To the King he sent his Sons, who used them with great Respect as his Cousin *Germans*, and to one of them he Married his Sister. These things happened in the fifth year of the Reign of *Alhaca*, in the hundred and eighty fourth of the *Arabians*.

34. These disturbances amongst the *Moors*, made well for *Alfonso*, who had thereby opportunity to strengthen and enlarge his Kingdom. Some Writers now relate, how by the Assistance of *Charles* the Great he recovered *Olippo*, or *Lisbon* the principal Town of *Lusitania* out of their hands, as also *Barcelona*; and that *Alfonso* sent to *Charles* a very splendid Embassy, the Embassadors being *Fruela* and *Basilicus*, who carried with them a rich Present of Horses, Arms and Slaves, besides a Pavilion of admirable size and Workmanship, the spoils of the conquered City of *Lisbon*. But such Writers as tell these stories, are * Strangers concerned for the Honour and Reputation of *Charles*, the Spanish Historians being herein wholly silent. *Barcelona* indeed in these times, was by *Charles* the Great taken from the *Moors*, and twice was *Lisbon* freed from the Tyranny of the *Moors*, and each time the thing was done by an *Alphonfus*. But this was long time after, viz. it was first taken by *Alphonfus* the sixth, him who also recovered *Toledo*, about the one thousand and ninety third year of our Lord, and again by *Alphonfus Henricus* the first King of *Portugal* about fifty years after. That it was taken by *Alphonfus* the Chaste, (for no other *Alphonfus* lived in the time of *Charles* the Great) is no where to be found in any Spanish Monument of Antiquity. This we find constantly

Alhaca Toledo alii Hilibera.

* Jacobus Major in Chronica rerum Placidiorum Placina in vita Leonis regis.

Codex Alcabaciensis, & veteris Chronicon apud P. Vasson ad A.D. 791.

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stantly reported, that *Charles* the Great was more than once in *Spain*: First immediately after his Father's death, solicited by *Ibnabala* the *Moor*, with hope of taking *Spain* from that People, and at this time they will have him to have made himself Master of *Pompelona*, which he dismantled at his retreat after that he had settled *Ibnabala* King of *Saragossa*. In his return, as he passed the Straits of the *Pyrenean* Mountains, he was let upon by the *Valkons*, and with the loils of his Treasures, and many men, returned with small Reputation into *Germany*. He had *Gerunda* and *Barcinoput* into his hands by the *Moors*, and thence came the Counts of *Barcelona* and the Original of the *Catalanians*, the *Cathelani*, who lived formerly at *Barcelona* and the Original of the *Catalanians* in this part of *Spain*. For as for *Tolouse* now coming and planting themselves in this part of *Spain*. For as for their Opinion, who make *Catalaunia* a word compounded of *Goths* and *Alans*, and theirs who derive it from *Catalo* a Governor of *Aquitain*, at such time as *Charles Martell* seized on that Dukedom, and outed the Sons of *Eudo*, they seem improbable to Learned men.

The Original of the Catalanians whence.

Quasi Gothelani.

35. A certain French Authour hath written, that *Charles* after a little time having taken *Narbon* from the *Moors* returned again into *Spain*, and made himself Master of that which hath the Name of old *Catalaunia* amongst the *Ceretan*, and Matter of that which in that Valley, which afterward received a Name from him, gave the *Moors* Battel in that Valley, which afterward received a Name from him. Others add that he came into *Spain* again, to view the Body of *St. James*, which they say was now found at *Compostella*, and that the Prelate of that place, by his Order and Command was made Primate over the rest of the Churches of *Spain*; Stories that have no Foundation in Antiquity. After this he went to *Rome*, where by means of *Leo* the Bishop, he was saluted *Augustus* or Emperor, as we shew at large in its proper place; and then again returning into *Germany*, they thence bring him into *Spain* upon this occasion. *Alfonso* being now old, and tired with the tedious War, he had constantly with the *Moors*, wherein his Successors followed the Succession in his Kingdom, as a reward, he himself having no Children. He, although he was also stricken in years, yet designing *Spain* to *Bernard* the Son of his deceased Son: *Pipin* whom he had already made King of *Italy*, refused not the terms, but with a great power of men, began his march, not doubting to carry all before him, when the Councils of both the Princes, as it's hard to conceal the purposes of such Expeditions, were betrayed. The Nobility of *Spain* presently began to exclaim, they should never endure to be subject to the *Franks*, an insolent Nation, and Cruel, for thereby they should not shake off the yoke they underwent, but only change for an heavier. Every one muttered these things in private, yet none publicly dared to resist the King's intentions, till *Bernard* Sirnamed *Carpenfis* his Nephew, a man whose Blood boyled in his veins, and the more by reason of the hope he had hitherto had of his Uncle's good Inclinations towards him, offered himself as Captain to all that would follow him; and then began *Alfonso* to cool in his Desires he had to *Charles* his coming. *Marfins* the *Moor* King of *Caslar Augusta*, who was at Enmity with the Emperor, upon the Account of *Ibnabala*, whom he had driven away, was drawn to the Spanish side. Now the Tide is turned, and *Charles* not willing to put up such an affront marcheth forward.

Duodcim ab urbe Salernitanica Lapide, quibus lapidis Alba sita est Carpenfis, Arcem edificavit, unde illi Carpenfis vocantur.

36. Here now we are at a loss, if he be not, wanting a certain guide to Conduct us in the Relation of this adventure. The French Writers tell us, that he pierced into *Spain*, and returned not till he had wasted the Countrey far and wide, after a Victory obtained in a set Battel, which done, he was opposed at the Straits in his retreat. On the contrary, the Spanish deny that he ever reached the Inwards of the Countrey, but in the Valley of *Rascida* in the Forest of the *Valkons*, a stop was put to his Expedition. The Battel of the *Franks*, was led by *Roland*, the Count of *Britain*, *Anselme* and *Eginard* principal men in the Court of *Charles*; but the place would not give them leave to open their Ranks, or march in any breadth; the *Spaniards* therefore, before they could get themselves into any posture of fighting from the higher ground killed many. In the first encounter *Roland* was slain, concerning whom many Romances or fabulous Stories have been told, and written by both Nations. *Charles* hereat exceedingly startled, is said by a Speech to have reprehended and quickened his men, as forgetting their former Trade of Victory, and by his Art to have put them into as good a posture, as the place and Inconveniency of it would suffer him. Then followed a most bloody Contest, wherein a great number of the best and noblest *Franks* fell; being discouraged by a report, that the *Moors* were come to the Assistance of the *Spaniards*, and had got beyond

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37. To return into *Spain* and take our leave, the rest of his time *Alfonfus* passed with Quiet and Tranquillity, giving him sufficient opportunity to practise the Arts of Peace and Religion, as he had done formerly that of War. And this was his great Commendation, that whereas other Princes too often make the publick Interest truckle to their private concerns, whether of Profit or Pleasure, he measured every thing by the Standard of, the Kingdom, Sacrificing his own particular advantages of Pomp and Revenue, to the Enrichment and Ornament of his Country. The diffention and Enmity which afterward arose betwixt him and his Nephew *Bernard*, seems to have been the greatest part of his infelicity. *Bernard* having done so great Services in the Field, thought he had deserved to great a favour at his Uncle's hands, as the setting at Liberty of his blind Father, and when it would not (out of some deep Mystery of state doubtless) be granted, conceived so great Indignation thereat, that first obtaining a dismissal from Service, he departed to *Saldania* his Father's Town, resolving to watch for an opportunity to be revenged. And the extreme Age of the King, together with the good Inclinations of the People to him gave him opportunity enough of making Incursions and Depredations in his Territories, without controll. This proved very unhappy for them both, for whereas *Bernard* if he had had but a little patience might within a little while have expected to have been in Possession of the Kingdom it self, and all other his Wishes with it, now was *Alfonfus* so provoked with the revolt, that in the Assembly of the Estates in his extreme Age, he procured *Ramir* the Son of *Veremund* to be chosen his Successour, and *Bernard* to be laid aside, who could never after make good his Pretences, but notwithstanding all his Endeavours died without ever obtaining that Crown he had had so great reason to expect, though where, or in what condition Writers differ. As for *Alfonfus*, not long after he had made such a choice, as neither suited his Judgment, nor his Relation as an Uncle, he shortly after died when he had lived eighty five years, and Reigned fifty two, five months and thirteen days, in the eight hundred forty fourth year of our Lord, which Account differs a little from the Copy of the Chronicle of *Alfonfus* the Great, who began his Reign but eighteen years after, but agrees with the List of *Compofella*, and other ancient Monuments of History.

38. The Quiet and Peace which we said *Alfonfus* enjoyed, was very much affected by the Seditions and Troubles under which the Kingdom of the *Moors* laboured at the same time. Ease and plenty make a People tumultuous, and a state if it have no Enemies without it, will not very long stand without bringing some fourth out of it's own Bowels. The Inhabitants of *Toledo* for no sufficient cause

Bernard revolts, which makes *Alfonfus* choose *Ramir* his Successour.

Alfonfus died. A. D. 844.

must be quarrelling with the Government, many burthens and Grievances are pretended. *Albaca* their King being a cunning and very close man, and knowing *Ambrosius* the Governour of *Ofca* to be very acceptable to them, sends him to them with Letters, wherein he casts all the blame upon his Officers. They being more inclinable to rebel than furnish with the Abilities of prudence and resolution to carry them through a bold attempt, admit him into their Town, suspecting nothing. He as cunningly Counterfeits himself the King's Enemy upon the account of several pretended disobligations, and persuades them to fortifie the City, by building a Castle (there where now stands the Church of St. *Christopher*) and receiving a Garrison. These things being noised at Court, the King sends *Abderrahman* his Son now twenty four years of Age to tame these Rebels, and he Counterfeiting the same Dissatisfactions as *Ambrosius* had done under a shew of discontent revolts to them in the like manner, and is also received in. Now all things being prepared, five thousand of the principal Townsmen are invited to a Feast, and when they least thought it, have their throats cut, and so the Revolt of *Toledo*, as was congruous, Tragically ended. This might have been an example to their fellow Subjects; but yet such as inhabited the Suburbs of *Corduba* were not hereby deterred from renouncing their obedience to *Albaca*. To reduce them, one *Abelcarin* was sent who had got reputation by taking the City *Calagnis*, and wasting the Countrey round about it, he with less trouble reduced the *Mutineers*, the whole Controversie being decided, by hanging three hundred of them, all *Moors*. And this was at such time as the Christians obtained a double victory over the *Moors*, who had invaded the Territories of the Christians in a double body. As a consequent of this victory, *Ores* the Governour of *Emerita* thought himself obliged: to raise the siege of *Beneventum*, upon the coming of *Alfonfus*; and *Alcamo* the *Moor*, the Governour of *Pax Augusta*, was constrained to rise from before *Sentica* which he had besieged. Not long after, one *Mahomet* an eminent Citizen of *Emerita* for what cause is uncertain, yet out of fear of *Abderrahman* committed himself to the Protection of *Alfonfus*, and had a place assigned him to inhabit within the Territories of *Gallicia*: But eight years after he rebelled and seized on the Town of *St. Christine*, yet were his designs frustrated by the timely coming of the King, and fifty thousand were slain on both sides, amongst whom *Mahomet* himself, the Great revoler. *Albaca* had the happiness to see this Rebellion quieted, and then died in the twenty seventh year of his Reign, the two hundred and sixth year of the *Arabians*; the A. D. 826. eight hundred and twenty first year of our Lord. He left behind him nineteen Sons, and one and twenty Daughters, and was succeeded by *Abderrahman* his Son now above the Age of forty years.

Albaca the *Miramonin* dies, leaving *Abderrahman* the Second his Successour.

Several petty kingdoms.

Garfas *Ximenes* is King of *Suprabis*.

39. So went the Affairs of *Spain*, and such was the State of the *Saracenic* Kingdom, which containing the greatest part of that vast Countrey, gives denomination to this Part of our History. The other Kingdom began by *Pelagius*, and the rise and progress of which we have seen was so small and contemptible, in respect of that which was in being before the Coming of the *Moors*, that though it was founded by those of the same stock, and its Subjects consist of men of the same Nation with the former, yet bore not the Name of the *Goths* as the other had done, but that of the *Astures*, *Gallicia*, *Legio* (or *Leon*) or *Onerum*. But besides this newly raised Kingdom, there was another start-up at this time, of which hitherto we have taken no notice. For that of the *Goths* being broken in pieces as out of the Ruines of a vast building, several little ones were erected. Some of the poor distressed *Spaniards* flying as far as they could from the publick calamity, went into *Asturia*, and there set up the Kingdom of *Leon*, as we have already shewed. Others seized on the tops of the *Pyrenean* Hills and the places difficult of Access, where the *Cantabri* and *Vascos* were seated, besides the *Lucetani*, *Ilergetes* and *Ceretan*, where now are seen *Ripagorfa*, *Suprabis* and *Orgelia*. The fame of one *John*, a Religious person, caused many more to flock to those parts, where being encouraged by the natural strength of them, and invited to emulation by what their brethren had done in the Countrey of the *Astures*, they began to lay their heads together, how not only to protect themselves where they were, but to do something for casting off the yoke of the *Saracens* from the neck of their Nation in general. After long and serious deliberation they resolved, as *Pelagius* reigned in *Asturia*, to have a King of their own to govern them, and made choice of one *Garfas Ximenes* to be the person, whom some will have defended of the Noble blood of the *Goths*, otherwise nothing a-kin to the Royal family, but rather a *Spaniard*, as should seem

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Rem istam fuisse *Rodericus Toletanus* prosequitur in *Arabum Historiis* et post ibidem in *Chronica Alfonso Rex.*

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seem by his Name, yet doubtless of a most Noble Race, the *Regulus of Amefena* and *Abarfusa*. His Wife by Name *Eneca* was of as great Nobility.

40. At what time he began his Kingdom, Authours do not agree, though the most knowing place the Original of it near to the Advancement of *Pelagius*. But neither do they consent about the Name or Title of this New Kingdom, some calling it the Kingdom of *Suprabus*, others of *Navarre*, and others of the *Vascons*, so great is the obscurity we have been forced to struggle with in these Spanish matters. The Arms of this Kingdom was a plain white shield, without any Pictures, say the Learned, or Charges, that we may not be blamed by our Heralds for speaking improperly. But *Garfus* having, it's said, no greater an Army than six hundred men, with them did wonders. He took several Towns from the *Moors*, as *Jafa* and *Suprabus*, the chief of all *Municipia* or free Towns which afterward had the honour to be esteemed the Metropolis of a Kingdom. This is agreed on all sides, that he did much for his time, and died after he had reigned, say some two and forty years, and was buried in a Church called *St. John a Pegna*, from the high Rock where it was built by *John* the Anchorite first, but was much enlarged, beautified and enriched by *Garfus*, and afterward became the *Mausoleum* of the Kings his Successors. He dying in the seven hundred and fifty eighth year of our Lord, was succeeded by his Son *Garfus Eneus*, who took his Name from both those of his Father and Mother. This was a Prince of great abilities, and as great felicity. By his industry and valour were the *Vascons*, who hitherto fluctuated betwixt the Kings of the *Astures*, the *Moors* and the *Franks*, fully settled in the obedience of him and his posterity. He recovered *Pampolona*, the chief City of *Navarre*, with many other Towns and Forts, and extended his victorious Arms as far as that part of the bordering *Cantabria*, which bears the name of *Alava*. He is said to have reigned forty four years, and then in the eight hundred and second year of our Lord *Forbanus Garfus* to have succeeded, of whose actions many Romantick Stories are told by the Historians of the *Vascons*. He was at the Defeat (if a Defeat there was) of *Charles* the Great in the Valley of *Rofcida*. He reigned thirteen years, and then gave place to *Sanctius Garfus* his Son.

41. This *Sanctius* was a man of great Renown, did many things against the *Saracens*, out of the hands of whom he recovered the greatest part of *Navarre*. He is said to have reigned twenty years, and whether he left a Son or not, is uncertain. But either at or not long after his death his line failed, and then the Nobility is said to have consulted with Foreign Princes, as well as amongst themselves, what Conditions to put upon him who was to be elected. Left the next should abuse his power, they enacted several written Laws, commonly called in Latin *Forum Suprabus*, tending to the keeping of the King in order, who should do nothing of moment without the consent of twelve Noblemen to be chosen for that purpose; to the maintenance of their Liberties, and to this provision, that such Lands as should be taken from the *Moors* should be divided betwixt the King and the Nobility. For the better effect of this, a middle person was chosen, commonly called the *Justitia of Aragon*, who having a power like to that of the Tribunes, and armed by the Laws and the Inclinations of the People, should restrain the exorbitant Power of the King. He that was first elected, and submitted to these Conditions, was *Eneus Sanctius*, from his swiftness surnamed *Arisla* Count of *Bigorra*, or of the *Bigerrones in Aquitaine*. But these things are beyond the extent of this present Volume, we only desired not to break off abruptly, but to leave the Reader in as much clearness as can be, who must farther know, that at this same time there were Counts of *Aragon*, descended from *Aenar* the Son of *Eudo*, as we before hinted, who mixed their blood by intermarrying with the Kings of *Suprabus*, and at length the title of the Kingdom was altered from this of *Suprabus*, to that of *Aragon*. At the same time there were also Counts of *Castile*, from whom proceeded many Kings afterward as well as Noble families, which to this very day continue. These several Houses and Kingdoms by degrees got ground of that of the *Saracens*, and at length being united, drove the Infidels quite out of Spain. But this happened many Ages after the time whereof we write.

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